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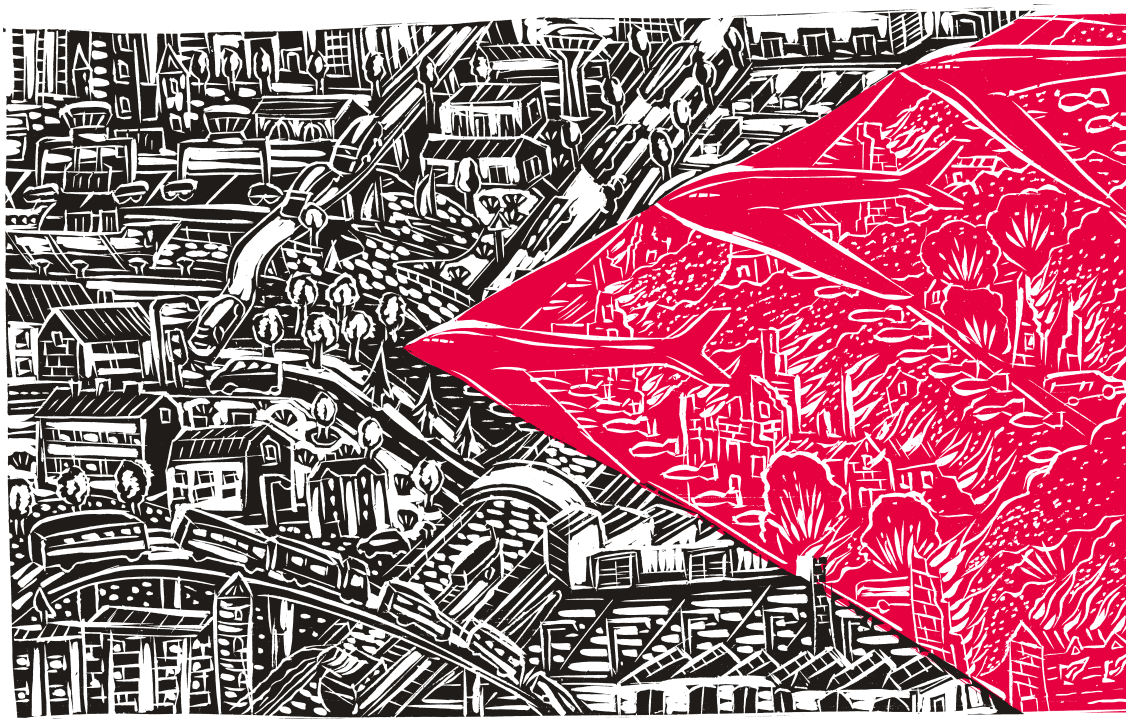
Vappu Helmisaari

THOMAS HOBBES AND CONTEMPORARY ITALIAN THINKERS

Permanent War in Giorgio Agamben, Roberto Esposito and Antonio Negri



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THOMAS HOBBES AND CONTEMPORARY ITALIAN THINKERS: PERMANENT WAR IN GIORGIO AGAMBEN, ROBERTO ESPOSITO AND ANTONIO NEGRI

Vappu Helmisaari

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Abstract

The thesis examines how Thomas Hobbes's (1588–1679) political thinking is present in three Italian philosophers' work: Giorgio Agamben (born 1942), Roberto Esposito (born 1950) and Antonio Negri (born 1933). In this sense, it is a reception study of Hobbes's work in contemporary Italy, more specifically among the Italian biopolitical school. The thesis is in the field of political theory. Quentin Skinner's work on Hobbes is briefly presented to add a point of comparison to the Italians' view on Hobbes and to their methodology. The focus of the study is on the Italians' and Hobbes's differences in regard to war. The three Italians see war as contrary to how Hobbes saw it: for Hobbes, the sovereign was the one who ended the state of nature which is a state of war, and for the Italians, the sovereign order means a state of war, although this is not always visible. The perspective and method of this enterprise is to look for references of Thomas Hobbes, and more largely, of Hobbesian themes in the writings of Agamben, Esposito and Negri, and to see how they relate to the question of war.

Agamben and Negri believe we live in a permanent state of civil war – a civil war, because we live in a world which has no outside. Esposito criticizes Hobbes's use of the state of nature as an artificial threat to keep the people in a state of fear. All these three Italians come to a different conclusion from Hobbes about the nature of war, as they claim that war does not end by handing power over to the sovereign, but that sovereignty is the prerequisite for waging war in different forms. The three philosophers present alternatives to the sovereignty-based organization of politics. For Agamben, one solution is withdrawal from activity, "inoperativity". For Esposito, the solution is a community based on non-reciprocal gifts, which he claims is the opposite of Hobbes's state, based on contract. He wants to enable new spaces of the common and sees hope in recent theoretical discussions on the common good. Negri differs from the two others since he, together with Michael Hardt, explores sovereignty, which is extended to the global level instead of nation-states. However, Hardt and Negri also outline a Multitude which fights the global sovereignty of Empire and rules itself autonomously. All three Italians have an idea of a community that is different from the state sovereignty of nation-states.

Tiivistelmä

Väitöskirjassa tutkitaan, miten Thomas Hobbesin (1588–1679) poliittinen ajattelu on läsnä kolmen italialaisen filosofin teoksissa: Giorgio Agambenin (s. 1942), Roberto Espositon (s. 1950) ja Antonio Negrin (s. 1933). Tässä mielessä kyse on vastaanottotutkimuksesta, jossa käsitellään sitä, miten Hobbesin teoria nähdään nyky-Italiassa ja etenkin italialaisessa biopoliittisessa koulukunnassa. Väitöskirja kuuluu politiikan teorian alaan. Quentin Skinnerin Hobbes-tutkimuksia käsitellään työssä lyhyesti vertailukohdan saamiseksi italialaisten Hobbes-näkemykselle ja metodologialle. Tutkimus keskittyy italialaisten ja Hobbesin eroihin suhteessa sotaan. Kolme italialaisajattelijaa näkevät sodan täysin päinvastoin kuin Hobbes: Hobbesille suvereeni oli se, joka lopettaa luonnontilan, joka on sotatila, kun taas italialaisille suvereeni järjestys merkitsee sotatilaa, joka ei kuitenkaan aina ole näkyvissä. Tutkimuksen näkökulmana ja metodina on käydä läpi Agambenin, Espositon ja Negrin teksteissä olevia mainintoja Thomas Hobbesista ja laajemmin hobbesilaisista teemoista ja selvittää, miten ne liittyvät kysymykseen sodasta.

Agamben ja Negri ajattelevat, että elämme jatkuvassa sotatilassa – tarkemmin sanoen sisällissodassa, koska elämme maailmassa, jolla ei ole ulkopuolta. Esposito kritisoi tapaa, jolla Hobbes käyttää luonnontilaa keinotekoisena pelotteena, jolla ihmiset pidetään pelon vallassa. Kaikki kolme italialaista päätyvät Hobbesin kanssa erilaiseen johtopäätökseen sotatilasta väittäessään, että sota ei pääty luovuttamalla valta suvereenille, vaan että suvereniteetti on edellytys sodankäynnin eri muodoille. Kolme filosofia esittävät vaihtoehtoja suvereenisuuteen perustuvalle politiikan järjestämisen tavalle. Agambenille eräs ratkaisu on toiminnasta vetäytyminen, ”inoperatiivisuus”. Espositon ratkaisu on ei-vastavuoroisille lahjoille perustuva yhteisö, jonka hän esittää olevan vastakkainen hobbesilaiselle sopimusvaltiolle. Hän haluaa mahdollistaa uusia yhteisen tiloja ja löytää toivoa viimeaikaisista yhteistä hyvää käsittelevistä teoreettisista keskusteluista. Negri eroaa kahdesta muusta, koska hän (yhdessä Michael Hardtin kanssa) tarkastelee kansallisvaltioiden sijaan globaalisti hallitsevaa suvereniteettia. Hardt ja Negri luonnostelevat kuitenkin myös multitudoa, väkeä, joka taistelee Imperiumin globaalia suvereniteettia vastaan ja hallitsee itseään autonomisesti. Kaikilla kolmella italialaisella esiintyy ajatus yhteisöstä, joka on erilainen kuin kansallisvaltioiden suvereniteetti.

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Vappu Helmisaari

1. Introduction

When reading political philosophy, references to Thomas Hobbes (1588–1679) come up constantly. His political philosophy has been widely researched. There have been debates on, for example, to what extent Hobbes was "modern" and the founder of modern state theory, and to what extent he was a representative of his own time. The English Civil War is often said to have affected his theory (see for example Skinner 1996, 216), which very much concentrated on avoiding conflict and violence. Reading Hobbes is largely enjoyable because his rhetorical style is vivid and convincing, and the idea of a mythical, anthropomorphic Leviathan-state-sovereign is both fascinating and awkward at the same time. On the other hand, reading Hobbes can be uncomfortable, because his ideas seem to restrict the freedom of individuals. He is arguing for a more or less absolutist rule, far from a democratic state where citizens would decide. Recently, he has been a target for criticism especially in contemporary Italian biopolitical theory. I first became interested in the themes of containing violence, moments of change, the justification of power and of sovereignty in Hobbes; on how we move from an unjust and possibly violent situation to an ordered and lawful state, and – possibly a question that is more distanced from Hobbes – how it is justified that the one who has power has it, even if power was achieved unlawfully. To limit the vast amount of research literature on Hobbes, I chose to concentrate on contemporary Italian biopolitical theory and how Hobbes is viewed in three Italian political philosophers' texts. Critiques of Hobbes and his idea of civil war and presenting alternatives to state sovereignty are common themes to all of them.

1.1 ARGUMENT

My aim is to examine how Thomas Hobbes's political thinking is present in three Italian philosophers' work: Giorgio Agamben (born 1942), Roberto Esposito (born 1950) and Antonio Negri (born 1933). In this sense, it is a reception study of Hobbes's work in the contemporary Italian biopolitical field. My focus is on the differences between the three Italians and Hobbes in regard to war. I argue that the three theorists see war as contrary to how Hobbes saw it: for Hobbes, the sovereign was the one who ended the state of

nature which is a state of war, and for the Italians, sovereign order means a state of war, although this is not always visible. The perspective and method of this enterprise is to look for references to Hobbes, and more largely, to Hobbesian themes in the writings of Agamben, Esposito and Negri, and to see how they relate to the question of war. The positive use of Hobbes's ideas by these Italian contemporary thinkers is mostly directed towards different ends from Hobbes's original idea. I am also looking for narratives in their texts in which writers are connected to each other in contemporary texts. One form this takes is that some writers are presented as 'dynamic' (e.g. Machiavelli and Spinoza, for Negri) and others as 'static' (e.g. Hobbes and Rousseau, for Negri). I also investigate how criticism of Hobbes serves as a basis for forming a new political thinking (for Esposito, and also partly for Agamben). I claim that Hobbes is an influential political thinker, and his presence is strong even in the writings of thinkers who explicitly oppose him. Arguably, Hobbes has preserved his place in the theoretical canon because he is such a natural target to oppose.

I will next consider some methodological questions in researching theoretical texts. I present Quentin Skinner's ideas about Hobbes in order to have a point of comparison from outside of Italy. I then discuss the specificity of Italian thought and the Italian context in political philosophy, and reasons for choosing the three Italian theorists as objects of research. Finally, I discuss some basic Hobbesian ideas to provide a background for the Italians' interpretations of Hobbes which follow in Chapters 2, 3 and 4.

1.2 USING TEXTS AS RESEARCH MATERIAL

Peregrine Schwartz-Shea and Dvora Yanow make a distinction between quantitative, qualitative and interpretive research in the social sciences. One of the data-generating methods they describe as qualitative is the "close 'reading' of research-relevant materials". "Reading" is in quotation marks because basically any material could be "read" as a text analogue (Schwartz-Shea & Yanow 2012, 5–6). In the case of my research, however, the research materials are really texts: the main works by both Thomas Hobbes and by three contemporary Italian political thinkers, and a number of works by other writers.

Schwartz-Shea and Yanow suggest that research which analyses texts could be counted as interpretive empirical research: "analyzing documentary

materials, whether historical or contemporary, draws on similar methods of text-treatment and thought" (Schwartz-Shea & Yanow 2012, 6). This is a rather different view from what is conventionally thought to be empirical research, such as measuring in natural science or field observations in the social sciences. However, a work concentrating on the most theoretical or philosophical questions in political science could be interpreted as empirical since a textual analysis is being made. Schwartz-Shea and Yanow write: "Political theorists [...] work in archives on contemporaneous materials in ways that parallel historical research [...] situating correspondence, diaries, paintings, and other texts and text-analogues in contemporary social, political, and cultural contexts [...]" (Schwartz-Shea & Yanow 2012, 6). This situating of texts can also be applied to theoretical and philosophical texts.

Schwartz-Shea and Yanow divide phases of a research project into "fieldwork", "deskwork", and "textwork", which are all intertwined. In their understanding, archival research can also be regarded as fieldwork as well as more traditional fieldwork such as observing or interviewing (Ibid., 7). Deskwork is the phase where the information that was collected through fieldwork is analysed, and textwork is the actual writing process. Schwartz-Shea and Yanow emphasize the role of epistemic communities, which they define as a "community of scholars who share a way of seeing and defining research problems and questions and a way of generating knowledge about these, as articulated in its theoretical or other research literature" (Ibid., 16). In the case of my research, the epistemic community are academics who are engaged in questions of political theory and political philosophy, such as the nature and origin of power and sovereignty, community, and people.

Schwartz-Shea and Yanow deem abductive reasoning to be the main method of interpretive research rather than inductive reasoning, which is usually considered to be the main mode of reasoning in qualitative methods or deductive reasoning, which is generally connected to positivist research. Charles Peirce describes how "abductive reasoning begins with a puzzle, a surprise, or a tension, and then seeks to explicate it by identifying the conditions that would make that puzzle less perplexing and more of a 'normal' or 'natural' event". Abductive reasoning, unlike inductive or deductive reasoning, takes a "circular-spiral pattern", where the puzzles "commonly derive from a tension between the expectations researchers bring to the field [...] and what they observe and/or experience there". So it would be the puzzle that emerges from the field rather than the usual notion in qualitative research that concepts emerge from the field (Schwartz-Shea & Yanow 2012, 27–28, 38).

An example of these puzzles (or concepts) from the field would be the concept of the *multitude*[1] that is used especially by Antonio Negri, but also by Thomas Hobbes, in a very different sense. Negri emphasizes the creative, revolutionary potential of the multitude, while Hobbes stresses the dangers of the multitude if it is not contained under the sovereign. Another example would be *immunization*, a notion developed by Roberto Esposito, meaning an excess of protection leading to destruction.

The interpretive process, the hermeneutic circle as conceptualized by Wilhelm Dilthey and Hans-Georg Gadamer, does not have a clear ending in the sense of reaching a conclusion, nor a clear beginning: "there are no 'conclusions' in the sense-making research cycle: there are only momentary stopping points, to collect one's thoughts, perhaps to publish or otherwise disseminate what one understands at that point in time, before one continues on the interpretive path" (Schwartz-Shea & Yanow 2012, 30–31). One of the original uses of hermeneutics, interpreting Biblical texts (ibid., 41), has similarities with theoretical research: both have texts and ideas as research material and interpret different readings and criticisms. In this process, the role of different readings in different contexts is essential. I will next present Quentin Skinner's approach to Hobbes, which is methodologically very different from Agamben's, Esposito's and Negri's.

1.3 QUENTIN SKINNER'S ANTI-ANACHRONISTIC METHODOLOGY AND THE RHETORICAL HOBBES

In order to offer an alternative perspective to the three Italians' views, I will next present Quentin Skinner's more widely known ideas about methodology and about Hobbes from his *Reason and Rhetoric in the Philosophy of Hobbes* (Skinner 1996) and *Visions of Politics*: *Volume III, Hobbes and Civil Science* (Skinner 2002). A third book by Skinner, *Hobbes and Republican Liberty* (Skinner 2008) will be briefly discussed in subchapter 2.2. The comparison is not normative. It is only made to highlight some differences in the three Italians' and Skinner's respective approaches to Hobbes. Skinner (born 1940) emphasizes the influence of the teachings of classical rhetoric

1 The term 'multitude' is spelled in this thesis both with a lower-case and a capital initial letter following mostly Negri's varying use of the word.

on Hobbes's thought and his style of writing. He denies the often-made claim that Hobbes would apply a method taken from natural sciences and the revolution of natural sciences of his time to his theory. Hobbes aims to transform the research of moral and political theory into a science. The humanists in Hobbes's time derived most of their understanding of the civil sciences, *scientia civilis*, from classical rhetoric theoreticians such as Cicero, according to whom people had to join together in order to achieve their highest possibilities. Hobbes's earliest writings show how widely he had adopted the rhetorical culture of Renaissance humanism while denying the need to use the arts of persuasion, but Hobbes changed his orientation in *Leviathan*, where he uses persuasive techniques. Earlier, Hobbes was thought to be a thinker without predecessors or followers, but this idea has been called into question, and Hobbes is now more likely to be seen as a representative of the philosophy of his own time (Skinner 1996, 1–4, 7, Skinner 2002, 38, 60, 85).

Skinner aims to show that certain characteristics in Hobbes's political theory cannot be explained without examining the conditions in which they were created. This approach to the history of philosophy has been discussed by Rorty, who, following Skinner, takes a stand against treating characters from the history of philosophy anachronistically as our contemporaries or fellow-citizens (Rorty 1984, 51–52, 56). This, however, is what Agamben, Esposito and Negri could be accused of doing. Quentin Skinner's anti-anachronistic methodological maxim is: "No agent can eventually be said to have meant or done something which he would never be brought to accept as a correct description of what he had meant or done" (Skinner 1969, 18, cited in Rorty 1984, 50).

Instead of focusing on the contractarian view of Hobbes, Skinner emphasizes virtues that Hobbes sees as essential for the maintenance of peace. For Skinner, Hobbes continues the tradition of Erasmus, More, Rabelais, Montaigne and other Renaissance satirists, who seek to ridicule their adversaries rather than arguing with them (Skinner 1996, 10–11, 13, 436–437). In Hobbes's early years, the Roman tradition of secular rhetoric emphasizing civic and political purpose was taught in schools. It was seen to encourage the duties of nobility and citizenship (ibid., 67). For Roman theorists such as Cicero or Quintilian, writing about a perfect orator was at the same time writing about the ideal citizenship (ibid., 88). Cicero outlined civil science thus: individuals, of whom cities are constructed, "must come together in a union of an honourable and mutually beneficial kind if they are to realise

their highest potentialities". A leader must force the human material into this kind of unified shape (Skinner 2002, 68). These thoughts of Cicero about the birth of the state seem to be directly taken up by Hobbes.

At the end of the 16th century, the technique of moral redescription, of calling a vice a virtue, was widely seen to be too dangerous to tolerate, but the means to end the technique were not agreed upon. Hobbes set himself the goal of solving this problem by constructing a science of civil life (Skinner 1996, 179–180, Skinner 2002, 73). Already the name of *The Elements of Law* is an allusion to Euclid's treatise on geometry, *The Elements of Geometry* (Skinner 1996, 298). Covenanting is essential for Hobbes. It is the only legitimate means of forming a commonwealth. A body of people ceases to be a multitude by acquiring a representative will and a sovereign (Ibid., 311–312). Hobbes challenges the traditional distinction between lawful rulers and tyrants: once we have given the sovereign the sole right to make and enforce laws, we have to accept those laws (Ibid., 314–315). Hobbes describes anything that helps to maintain peace, such as temperance and courage, as a virtue (ibid., 323).

In *The Elements of Law* and in *De Cive*, Hobbes made a connection between potentially misleading eloquence and assemblies where matters are discussed in democracies. He saw the power of rhetoric in democracy as a problem compared to monarchy and aristocracy. Emotions awoken by speakers are given too much influence in assemblies. Hobbes is hostile towards the methods of ornamenting and amplifying the truth and he considers that these methods are harmful to the construction of a genuine science of civil life (Skinner 1996, 269–271). He seeks to give precise definitions and avoid ambiguity in a science of politics that would not be affected by misleading eloquence or metaphors (ibid., 277–279, 295). Hobbes saw as his main achievement a creation of an objective science of virtue (ibid. 326).

Skinner shows that for Hobbes the revival of classical eloquence in Renaissance England is linked to democratic government, which Hobbes criticizes. Eloquence is needed to get one's opinion through in the debates of a public assembly. The multitude is ignorant and prejudiced, and therefore popular assemblies are open to manipulation by rhetoricians (Skinner 1996, 284–286). In *The Elements of Law* and in *De Cive*, Hobbes refused to use the customary rhetorical techniques, which, according to Skinner, might have come as a shock for his contemporary readers (ibid., 308).

Hobbes wanted to divide the elements of philosophy into three parts: body, man and citizen, and aimed to write about these in this order. He

changed his plan and began with the citizen because of royalist defeats in England, which concerned him. At this time, he started writing *Leviathan* (Skinner 1996, 327, 330–331). In *De Cive* Hobbes argues that he searches for truths that can be demonstrated. Only his preference for the monarchy is stated in this work as a matter of probability and not something that can be demonstrated (ibid., 336). In *Leviathan* Hobbes turns to paradiastolic speech, showing the different aspects of the same actions in a different light and giving them different attributes according to these points of view (the techniques of rhetorical redescription such as calling wisdom fear, cruelty justice, prodigality magnanimity, etc.), which he had earlier criticized (ibid., 339). Hobbes presents a list of laws of nature which lead us to peace, a list that includes such traditional moral virtues as justice, gratitude, modesty, equity and mercy. Their opposites are vices (ibid., 341–342).

Hobbes continued to be suspicious about rhetorical arts throughout his life, and in *Leviathan* there are several criticisms of the classical theory of eloquence (ibid., 343–344). He was especially critical of the use of metaphors which have the intention to deceive (ibid., 345). In *De Cive*, Hobbes wrote he wished to persuade readers by reason and not rhetoric, and that genuine eloquence arises from logic and not from rhetoric. He wanted to establish a theory of politics based on scientific premises, a "Science of Naturall justice" (Skinner 2002, 76, 79, 81). However, in *Leviathan* he declares that writing with eloquence is the only way to win "attention and consent" (Skinner 1996, 353). Techniques of rhetoric are a necessary supplement to the methods of science (Skinner 2002, 86). The classical rhetorical idea was to turn readers into spectators by using figures and tropes. Hobbes did not use this idea in *De Cive* or in *The Elements of Law* but later, to some extent, in *Leviathan* and especially in his texts on the theory of style. (Skinner 1996, 383.) The contrast between the imageries in the first two mentioned books and *Leviathan* is enormous: in the first two, state power was "described as those of a legal person", and in *Leviathan*, "the person has been transfigured into a monstrous beast" (ibid., 388). Skinner cites a passage in *Leviathan*, chapter XXI as an exception to Hobbes's usual expository style. There Hobbes describes laws as artificial chains by which we are tied. These chains are naturally weak, but we have the obligation to obey them (ibid., 390, Skinner 2002, 224). Another difference between *De Cive* and *The Elements of Law* and *Leviathan*, is that in *Leviathan* Hobbes uses the techniques of classical eloquence which arouse laughter and derision. This caused some shock and criticism among his readers. The later Latin version

of *Leviathan* includes less scorn of his opponents than the English one. His opponents include those "who put their faith in the authority of ancient books instead of in the methods of science", the defenders of representative assemblies, Catholic schoolmen who place God above the sovereign, and especially the pope (Skinner 1996, 394–395, 397, 399, 401–402). Skinner explains the change from *De Cive* and *The Elements of Law* to *Leviathan* as a change of audience: in the latter, Hobbes aimed to reach a broader and less educated audience than in the former two books (ibid., 426). He seems to have succeeded. Hobbes's books were popular: in 1658, the list of the most sold books in England included all Hobbes's works on political theory. His critics feared that he had corrupted an entire generation (Skinner 2002, 267). One of the main criticisms towards Hobbes was that he had forgotten God as a source of power and had given too much power to man and to an artificial god, Leviathan, to make covenants and to construct societies. The state of nature as a state of war seemed to be a new idea at the time, which the public recognized as Hobbes's idea (ibid., 269–270, 275–276).[2] Other such ideas were self-preservation as a fundamental law of nature which supersedes the obligations of all others and that when citizens are not adequately protected, their obligations automatically cease. This was seen to be disloyal: abandoning the sovereign at a moment when he most needed the support of his subjects (ibid., 284).

Much of Skinner's research on Hobbes seems to focus on Hobbes's style, political aims (defending the monarchy), his sources of influence, and his reception in his own time. In a chapter of *Visions of Politics, Vol. III: Hobbes and Civil Science* Skinner approaches a more philosophical question: the person of the state, which Hobbes mentions in *Leviathan*. He writes that the state can be defined as "One Person". This, Skinner explains, is a variation of attributed actions deriving from Roman law, which means that responsibility for a property, for example, for a ship or for a shop can be attributed to an agent – a captain or a manager. Similarly, Hobbes outlines in *De Cive*, when a disunited multitude is organized into a unified body of people, it may be capable of acting as a single person, and the king represents all his subjects (Skinner 2002, 178–180, 188). Hobbes emphasizes that his terminology of

2 Ioannis Evrigenis, however, notes that the idea of the state of nature was not Hobbes's invention. It had already been used in ancient Greece and Rome, and in *Genesis* in the Bible (Evrigenis 2014, 1). Theodore Christov, analysing for example the frontispiece picture of *De Cive*, has argued that the boundary between nature and sovereignty for Hobbes is not as stark as it is often seen (Christov 2015, 17, 27, 40–41).

representation is largely taken from the theatre (ibid., 181). This theatrical background is a point of view which is also raised by Roberto Esposito when analysing the concept of the person, also in regard to Hobbes's idea of defining the state in terms of personhood (see subchapter 3.4.4 in this dissertation). Authorization and the idea of an artificial person are important concepts in representation, because natural persons turn into artificial persons when they agree to be represented. Skinner observes that authorization is present in *Leviathan* but not yet in *The Elements of Law* or in *De Cive* (Skinner 2002, 183, 190). In *The Elements of Law*, Hobbes includes all human beings in natural persons, but in *Leviathan*, he gives a more limited definition: natural persons are those who have the ability to act on their own behalf. Thus, "Children, Fooles, and Mad-Men", and servants are not included (ibid., 191–192). Hobbes also raises a category of purely artificial persons who are not natural persons, meaning 1) characters impersonated by actors on the stage whose actions are not theirs but those of their fictitious characters, 2) fools and madmen, and 3) inanimate objects such as churches and hospitals (ibid., 192–194). In Hobbes's time, theatrical representations had to be concretely authorized, because performances needed a licence before they could be shown. In 1642, all theatres in England were closed by Act of Parliament (ibid., 194). In sovereignty by institution, the multitude transforms into an artificial person. The multitude is not naturally unitary, but the one representing it is, and this representative is the sovereign who is given the authority to "carry" or act the part of the artificial person of the state (ibid., 197–199). Subjects cannot object to the sovereign because it would mean that they are opposing themselves after they have authorized the sovereign to represent the person of the state (ibid., 207, see also Esposito 2010, 27–30).

Hobbes distinguishes the natural conditions where human laws apply, from the artificial condition where the laws of the commonwealth apply. Law limits our freedom as subjects, but this limitation is rational for individuals (Skinner 2002, 219–220). To ask for complete freedom is to demand a return to the state of nature, which is also to demand our own servitude (ibid., 233). Skinner emphasizes that the theory of political obligation, of an exchange between obedience and protection, was already discussed albefore Hobbes wrote and published about it (ibid., 301–302), which is along the same lines as Skinner's more general analysis of Hobbes being a representative of his own time more than a radical forerunner.

Compared to Skinner, the three Italians, Agamben, Esposito and Negri are not interested in Hobbes's style, aims or context of writing. They take

Hobbes's political concepts as such and develop them further, or rather, argue against them and construct their own political theory on the basis of this critique. I will now move to Italian thought and will take a closer look at the Italian context of political theory.

1.4 THE ITALIAN CONTEXT AND THE SPECIFICITY OF ITALIAN THOUGHT

Since Italy has not been a unified nation-state for as long as many other European countries, Italian political thinking is not historically as strongly focused on the idea of the nation or on the necessary authority of monarchy as some other European lines of thought, such as French or English political thought. We can think, for example, of de Maistre, de Bonald and other counterrevolutionary French philosophers or even some Enlightenment philosophers in French-speaking Europe such as Montesquieu and Rousseau, or Herder and Fichte in Germany, or Hobbes in England. Roberto Esposito in his book on contemporary Italian thinking values the fact that Italian philosophy is "prestatal"; that it was not connected to the formation of a nation-state but emerged during a time of political decentralization and fragmentation (Esposito 2012, 17, 19, 21). He writes: "But perhaps, in an era like ours, when even the most powerful of Leviathans is showing signs of fatigue, this 'pre-statal' politics points to something that reaches beyond the state" (ibid., 58). This distance from the nationalistic orientation of political philosophy makes discovering the Italian thinkers' views on a thinker of sovereignty such as Thomas Hobbes particularly interesting and it is also a methodological challenge: how is it possible to trace a thinking that is so much connected to the state form in a thinking that clearly aims to exit from the state or is at least very critical towards national states?

Another character that Esposito emphasizes in Italian political thought is its positive view on conflict formulated especially by Machiavelli. The state-body metaphor that was earlier used in searching for harmony (e.g. Plato, Hobbes), is for Machiavelli something different: a balanced opposition of different parts of the state-body is the goal: "The role of politics is to govern the conflictual tension arising naturally from the different interests at play" (Esposito 2012, 53). For Hobbes, conflict precedes order, whereas for Machiavelli, order is inherently conflictual (ibid., 24, 53–54). Esposito clearly is on Machiavelli's side on this question, and he defends Machiavelli, who was underestimated

by Hegel "who viewed Machiavelli's work as the early form of a theory of state that remained undeveloped due to unfavorable historical conditions, only to be reworked and perfected by later authors" (ibid., 56).

Esposito also raises the theme of nature and politics being intertwined in Machiavelli: "Between humanity and animality there is no such abyss as there is in Hobbes separating the 'wolves' in the state of nature from the subjects in the civil state: the wolf is part of the human, the same way nature is part of civilization" (ibid., 50). The state of nature for Hobbes is a negative origin, something preceding the state and something that should be left behind. "This assumption – that there is something else, something earlier, with respect to what presents itself from the outset as the only factual reality – is precisely what Machiavelli radically questioned", Esposito writes (ibid., 47). He adds:

> To maintain that politics is originary, in Machiavelli, is tantamount to saying that it has no origin. It means that there is nothing prepolitical, like a state of nature, for example, that politics can take over from, relegating it to an immemorial past. Politics occupies the entire horizon of the real: there is nothing before it or after it, neither a preordained beginning nor a foreseeable end. (Esposito 2012, 48)

When presenting the work of Vincenzo Cuoco, Esposito brings out another distinguishing feature in Italian thought compared to Hobbes, Rousseau or Locke, namely the inhomogeneity of the social body:

> The population is not a unitary whole of individuals, subjects or citizens, made equal by their obedience to a law that they have given to themselves; rather, it is an inhomogeneous body, cut through by internal fractures that render difficult any unambiguous interpretation [...]. (Esposito 2012, 117)

Esposito also mentions another Italian, Cesare Beccaria, attacking the theological-political[3] category of sovereignty common to Hobbes, Rousseau, Kant and Hegel (Ibid., 145). Esposito finds predecessors in Italian thought from Machiavelli to Vico who use concepts that he examines in this dissertation in a similar way, taking them from the past to analyse something contemporary: "It is certainly not by chance that archaic figures, or at least figures with ancient Greek and Roman origins – such as *bios*, *sacertas*,

3 "Theological-political" points to the similarities between a monotheistic religion and a belief in the virtues of one sovereign.

communitas, *persona*, *imperium* – appear in the works of various Italian thinkers" (Esposito 2018, 158).

1.5 WHY THE THREE ITALIANS?

We can better understand possibilities for social order through revisiting the questions raised by Hobbes, such as sovereignty and violence or multitude and the people, through Agamben's, Esposito's and Negri's views on these notions. The Italian biopolitical reading is not well known in the Anglo-American political theory tradition. But why *these* three Italian theorists? Several other Italian thinkers have written on Hobbes, for example Lorenzo Bernini, Mauro Farnesi Camellone and Nicola Marcucci in *La sovranità scomposta – sull'attualità del Leviatano* (Milano – Udine, Mimesis Filosofie 2010), Adriana Cavarero (*Stately Bodies: Literature, Philosophy, and the Question of Gender*, trans. Robert de Lucca and Deanna Shemek; Ann Arbor, University of Michigan Press 2002), and several writers that Roberto Esposito refers to in his writings on Hobbes, such as Giacomo Marramao (*Dopo il Leviatano. Individuo e comunità nella filosofia politica*, Turin, Bollati Boringhieri 1995), Giuseppe Sorgi (*Potere tra paura e legittimità*, Milan, Giuffrè 1983 and *Quale Hobbes? Dalla paura alla rappresentanza*, Milan, Franco Angeli 1996), and Carlo Galli ("Ordine e contingenza. Linee di lettura del *Leviathan*", in *Percorsi di libertà*, Bologna, Il Mulino 1996). Hardt and Negri, when discussing Hobbesian themes, refer to Gianni Vattimo ("Senza Polizia Non C'è Uno Stato", *La Stampa*, Sept. 22, 1991) in their *Labor of Dionysus* (1990, second printing 2003) and to Paolo Virno ("Il cosidetto 'male' e la critica dello stato", *Forme di vita*, no. 4, 2005), to Sandro Mezzadra (*Diritto di fuga*, Verona, Ombre Corte 2006), to Enrica Riga (*Europa di confine*, Rome, Meltelmi 2007) and to Filippo Del Lucchese (*Tumulti e indignatio: Conflitto, diritto e moltitudine in Machiavelli e Spinoza*, Milan, Ghibli 2004) in their *Commonwealth* (2009, 167, 189; 244), and to Giorgio Agamben in several books.

The choice of Agamben, Esposito and Negri is partly based on language: these three Italians' books have been most widely translated into English, and Negri has also written directly in English. In addition, it is also based on the similarities in their thinking: all three are critical of state sovereignty in the way Thomas Hobbes introduced it in political theory. Moreover, they all have an idea of a community that is different from the state sovereignty of nation-states. This can be illustrated by what Sergei Prozorov writes about

Esposito's and Agamben's use of Hobbes, which in my opinion can in certain aspects be extended to Negri as well: "For both Esposito and Agamben it is less a matter of exhaustively interpreting Hobbes than of relying on his thought to establish a particularly illustrative or striking example of a tendency in modern political thought to constitute and legitimize authority by conjuring the negativity that it then interprets as natural and seeks protection from" (Prozorov 2015, 58). For Prozorov, this reflects a wider tendency in contemporary continental philosophy in reading Hobbes. This line of thought has been developed particularly in Italy in recent years. The Italian biopolitical reading of Hobbes which uses Hobbes to construct a new post-sovereign paradigm in political theory differs considerably from that of Quentin Skinner, who is more established and better known, and it is therefore interesting to examine. Agamben's, Esposito's and Negri's views on Hobbes is at the same time a certain picture of contemporary Italian biopolitical theory in the English-speaking world and of the challenge it poses to the modern state theory, when we take seriously the claim that is often made that Hobbes was the founder of the modern state theory. We gain new insights into possibilities for community and order (as opposed to anarchy and war) by revisiting Hobbes's argument through these Italian theorists. Their reversal of the idea that the sovereign ends the state of war and establishes order gives a new perspective on how societies should be organized, namely on self-rule rather than on state authority.

A critical view on the nation-state is common to the three theorists. This is not an unusual view among Italian radicals. Michael Hardt describes in *Radical Thought in Italy* how the anticapitalism of workerist and student movements of the 1960s and 70s was transformed into a "generalized opposition to the State, the traditional parties, and the institutional trade unions" (Hardt 1996, 11). He claims that for these movements, the abolition of the state does not mean anarchy but the constitution of radical and participatory democracy, an "alternative sociality" (ibid., 14–15). This seems to be the line of thinking for all the three theorists discussed in this thesis, of whom Agamben and Negri also wrote in Hardt's above-mentioned book. Roberto Esposito identifies himself with the biopolitical paradigm, developed in France and Italy over the past twenty years, which he sees as "the most fitting analytical toolkit for interpreting the European situation" of today. Economic crisis is for him also a biopolitical crisis (Esposito 2018, 2). Agamben and Negri are also often connected with biopolitics (see, for example, Esposito 2013b, 85). Biopolitics is related to how life became the

object of politics. Foucault in particular developed the idea of this historical transition from a focus on blood (war, fear, sword, torture, etc.) in classical sovereignty to a focus on life, sexuality and reproduction in the biopolitics of our time. The object of biopolitics is the survival of the species and of both the individual and the social body (Rentea 2017, 5). Agamben, Esposito and Negri have continued the biopolitical analysis which Foucault started, and Negri already wrote about similar themes as Foucault in his biopolitical phase at the same time as Foucault (Vatter 2017, 124). The status of Hobbes's theory is different in their work: Foucault, unlike Agamben and Esposito, did not include Hobbes in his analysis of biopolitics, although he wrote about Hobbes in another context. Marco Piasentier notes that Foucault's and Agamben's biopolitical theories are in critical tension with each other (Piasentier 2020, 2), and Prozorov writes that the application of the concept of biopolitics in Agamben's *Homo Sacer* and Hardt and Negri's *Empire* is problematic from a strictly Foucauldian standpoint. Agamben and Negri both see sovereign and biopolitical power combined rather than separated from each other (Prozorov 2007, 103). It can be said that Italian biopolitical theory takes its own path compared with Foucault in regard to sovereignty.

Agamben's, Esposito's and Negri's view on Hobbes is different from Skinner's in that they are not interested in the style or context of his writing but more on what his ideas on political theory are, independently of the epoch of writing.

I will next present some of Hobbes's basic notions to provide some background to interpretations of Hobbes by Agamben, Esposito and Negri.

1.6 THE HOBBESIAN VIEW OF MAN

For Thomas Hobbes, imitation of others and irrational, impulsive behaviour are typical of man (Holmes 1990, xv, xvii). "Human behaviour is motored not by self-interest alone, but rather by *passions*, *interests*, and *norms*", writes Stephen Holmes in his introduction to Hobbes's *Behemoth* (Holmes 1990, xviii, emphasis in original). Hobbes rejects the dualism between matter and spirit, which has a long history in Western thought. This leads him to a one-world realism that rejects immaterial substance, soul and transcendence (Gaskin 2008, xxv). Hobbes's ethics are egoistic: he claims that people "cannot do other than follow their own devices and desires *whatever* they appear to be doing or allege they are doing (ibid., xxix–xxx). His starting

point in morality is how human beings are when they are not yet part of the body politic, or the political community, and later civil law comes to change the situation for the better (Gaskin 2008, xxxiii–xxxiv).

According to Hobbes, man is not sociable by nature but because it is useful to him:

> Closer observation of the causes why men seek each other's company and enjoy associating with each other, will easily reach the conclusion that it does not happen because by nature it could not be otherwise, but by chance. For if man naturally loved his fellow man, loved him, I mean, as his fellow man, there is no reason why everyone would not love everyone equally as equally men; or why every man would rather seek the company of men whose society is more prestigious and useful to him than to others. By nature, then, we are not looking for friends but for honour or advantage from them. (Hobbes 2018, 22)

And he continues: "every voluntary encounter is a product either of mutual need or of the pursuit of glory" (ibid., 23). Distrust in other people is natural to men according to Hobbes: they lock their doors when they travel and also when they are at home, and they arm themselves against potential enemies (Hobbes 1985, 186–187).

1.7 THE HOBBESIAN VIEW OF SOCIETY, THE STATE AND WAR

Hobbes wrote his main work, *Leviathan* (1651), at a time of European civil wars and unrests, and his focus is on restoring peace and order. Hobbes uses the symbol of a Leviathan, a sea monster, as a symbol of order, and Behemoth, a land monster, as a symbol of rebellion and civil war[4] (Holmes 1990, ix). Leviathan, or the sovereign, which can be either one person or an assembly, ends the civil war of everyone against everyone else. The civil war is caused by people wanting the same things and by everyone having rights to all things (Hobbes 2018, 12, 28; Hobbes 1985, 223, 239). Hobbes sees civil war as the death of the political body when he compares the commonwealth to an artificial man (Hobbes 1985, 81). A divided kingdom cannot

4 For a discussion on the use of the monster metaphor and its complex religious meanings in Hobbes and Schmitt, see Springborg 2011.

survive (ibid., 236). Despite the possible shortcomings of a regime, be it a democracy or a monarchy, they are minor compared with "miseries, and horrible calamities, that accompany a Civill Warre" (ibid., 238). A potential conflict, and thus a reason for civil war, emerges in Christian societies when the commandments of God and of the sovereign contradict each other. Hobbes is concerned wit the prospect of false prophets (ibid., 609).

Sovereignty should not be divided, and all kinds of rebellion are bad, or more exactly: in principle rebellion is impossible because according to Hobbes's theory of authorization, each subject is also the author of what the sovereign does (Hobbes 1985, 232). Associations and other organized groups of people such as parties, and more generally disagreement and conflict are dangerous because they create divisions inside the state. A religion based on a book, such as Christianity, is also dangerous because it claims to have superior power over the sovereign (Holmes 1990, xxxv–xxxviii; Hobbes 1990, 7–13, 18–21, 40, 50, 57; Hobbes 2018, 14), although in this question Hobbes was careful not to criticize the dominance of religion too much because atheism was highly punishable. In *Leviathan*, there are long chapters on the Christian commonwealth and at the end on the kingdom of darkness. In the conclusion of *Leviathan* he assures the reader that there is nothing "contrary either to the Word of God, or to good Manners" in what he wrote (Hobbes 1985, 727). According to Hobbes, religion can be both a danger and a resource for the peacekeeping state (Holmes 1990, xlix–l).

Authority for Hobbes is not unlimited, perhaps surprisingly: in a preface to *Leviathan* he advocates a middle way between excessive authority and too much liberty. There is too much authority when potential co-operators are alienated (Holmes 1990, xlii, Hobbes 1985, 75). The beginning of the state cannot often be morally justified: "… there is scarce a Commonwealth in the world, whose beginnings can in conscience be justified" (Hobbes 1985, 722).

Hobbes attempted to use empirical sciences, which were new at that time, as a model for political science (Macpherson 1985, 10). According to J.C.A. Gaskin, in science and in philosophy he was a radical, and in religion and politics a conservative (Gaskin 2008, xiv–xv).

1.8 HOBBES'S USE OF METAPHORS

Hobbes's main work *Leviathan* begins with a review of the nature of the senses and the perceptions and of human nature in general. In Chapter 5,

"Of Reason, and Science", Hobbes defends exact definitions of words and writes that "metaphors, and senslesse and ambiguous words are like *ignes fatui*; and reasoning upon them, is wandering amongst innumerable absurdities; and their end, contention, and sedition, or contempt" (Hobbes 1985, 116–117, see also Skinner 1996, 345, 363). Hobbes thinks that metaphors are misleading although he himself uses the metaphor of a human being and the human body to stand for the state (see also Tralau 2011, 9).

In the introduction to *Leviathan*, Hobbes makes the following equations between the body and the state/Leviathan/the Common-wealth/civitas starting from the soul and ending in God's creation of man:

> For by Art is created that great LEVIATHAN called a COMMON-WEALTH, or STATE, (in latine CIVITAS) which is but an Artificiall Man; though of greater stature and strength than the Naturall, for whose protection and defence it was intended; and in which, the *Soveraignty* is an Artificiall *Soul*, as giving life and motion to the whole body; The *Magistrates*, and other *Officers* of Judicature and Execution, artificiall *Joynts*; *Reward* and *Punishment* (by which fastned to the seate of the Soveraignty, every joynt and member is moved to performe his duty) are the *Nerves*, that do the same in the Body Natural; The *Wealth* and *Riches* of all the particular members, are the *Strength*; *Salus Populi* (the *peoples safety*) its *Businesse*; *Counsellors*, by whom all things needfull for it to know, are suggested unto it, are the *Memory*; *Equity* and *Lawes*, an artificiall *Reason* and *Will*; *Concord*, *Health*; *Sedition*, *Sicknesse*; and *Civill war*, *Death*. Lastly, the *Pacts* and *Covenants*, by which the parts of this Body Politique were at first made, set together, and united, resemble that *Fiat*, or the *Let us make man*, pronounced by God in the Creation. (Hobbes 1985, 81–82)

Hobbes compares different professions in a state to organs in the body, while colonies are the children of a Common-wealth (Hobbes 1985, 301). Each group or profession must stay in its place in a Hobbesian state, otherwise the political body falls apart and the feared state of nature returns in the form of civil war. Hobbes is even opposed to organizations of a civil society that are crucial to democracy, according to later to later commentators like Alexis de Tocqueville, because organizations are rivals with the sovereign state.[5]

5 "And as Factions for Kindred, so also Factions for Government of Religion, as of Papists, Protestants, &c. or of State, as Patricians, and Plebeians of old time in *Rome*, and of Aristocraticalls and Democraticalls of old time in Greece, are unjust, as being contrary to the peace and safety of the people, and a taking of the Sword out of the hand of the Soveraign." (Hobbes 1985, 287)

Hobbes compares the disfunctions of society (the Common-wealth) to a disease in the body: "Among the *Infirmities* therefore of a Common-wealth, I will reckon in the first place, those that arise from an Imperfect Institution, and resemble the diseases of a naturall body, which proceed from a Defectuous Procreation" (Hobbes 1985, 363–364). In Chapter 29 of *Leviathan* he provides a long list of diseases that a political body can face. Part of these concern money that runs in the veins of society, and what happens if this circulation is prohibited or runs unevenly (ibid., 363–376).

Both metaphors about civil war and other problems as diseases of the state and of the sovereign as the head of state had been used already by Plato, among others. Western political thought has used organic metaphors for the state since antiquity. They were powerful in medieval times[6] and probably influenced Hobbes, who is commonly considered to be the founder of modern political theory. In *Leviathan,* Hobbes added the machine metaphor to the more traditional organic metaphors of the state that he had used in *De Cive* and in *The Elements of Law* (Skinner 1996, 387, Esposito 2014, 115).

I will next approach the question of how Hobbes is used in the three Italians' texts in three different chapters organized by authors: first Agamben, then Esposito, and finally Negri. In each chapter, I will examine how the themes of war, nature, power and community are present in their work. These are the themes that come up most clearly in the Italians' interpretations of Hobbes. I will first analyse how the Hobbesian state of nature as a state of war and as a state of exception is approached by Giorgio Agamben.

6 Ernst H. Kantorowicz has explored the idea of a king's two bodies in mediaeval political theology. For example, a law report from that time stated that the king has two capacities and two bodies: a natural one, which is subject to death, and the body politic, whose members are his subjects. The body politic can move from one natural body to another. (Kantorowicz 1997, 13)

2. Giorgio Agamben and Thomas Hobbes: Towards and away from a Permanent State of Exception

Abstract

Agamben equates the state of nature with the state of exception, which is a state of war. He claims that we live in a generalized state of exception from which there is no return to a state of law, because the law is suspended. For him, the violent Hobbesian state of nature continues in the person of the sovereign, who has the right to decide over life and death. Agamben does not interpret Hobbes's state of nature as real historical time but as a virtual idea of the state "as if it were dissolved". In this reading, he is inspired by Carl Schmitt, whose idea of the political and of exception in relation to Hobbes is also briefly discussed. In addition to the discussion on the state of nature and war, Agamben reads *Leviathan* as an eschatological text that concretely describes the disappearance of the earthly kingdom and the Kingdom of God descending to earth.

To escape the sovereign logic and the process towards a planetary state of exception, Agamben, drawing on Walter Benjamin, proposes on the one hand, a "real state of exception", and on the other hand, rendering political institutions inoperative.

Commentaries on Agamben have examined post-sovereign forms of power that Agamben develops, and his concepts such as inoperativity, *iustitium* (the suspension of law) and bare life, messianism and his alternatives to the sovereign order, such as a "happy life" and a "form-of-life". I approach Agamben's political thinking through his references to Thomas Hobbes and Hobbesian themes, especially the theme of war. First, I compare Agamben's view of Hobbes with Quentin Skinner's through their interpretations of the frontispiece of *Leviathan*. Skinner pays attention to the context of the picture and to the visualization of protection and obedience, whereas Agamben examines certain details as symbols of Hobbes's theory. I will then proceed to analyse the theme of war in Agamben's interpretation of Hobbes.

Agamben's thinking ranges from theoretical philosophy and aesthetics to political theory. I will concentrate on the political side of his thinking and argue that according to Agamben, we live in a permanent state of exception, which is a state of war, contrary to Hobbes's idea, where the sovereign ends the state of war. The themes of war, nature and power will be analysed in this chapter through the idea of the state of nature and of the sovereign. Community is discussed somewhat less by Agamben. Community is discussed in more detail by Esposito than Agamben, and therefore this theme will be dicussed more in Chapter 3 of this dissertation.

In this chapter, in part 2.1, I will begin by presenting some of the views of the numerous commentaries published on Agamben's political theory where such Hobbesian themes as war and sovereignty, or Agamben's commentaries on Hobbes, are present. The purpose is to show how Agamben's political thought has been studied recently. Then, in 2.2, I will present a short comparison of Quentin Skinner's and Giorgio Agamben's interpretation of the famous frontispiece of Hobbes's *Leviathan*. Like the passage on Skinner (subchapter 1.3) in the Introduction chapter, this is done to contrast Agamben's view on Hobbes to a more widely known – at least in the English-speaking world – interpretation by Quentin Skinner. After that, in 2.3, I will move to Agamben's interest in and analysis of Hobbes's eschatology and Agamben's idea of civil war examined through Ancient Greek thinking and compared with Hobbes's conception of civil war, which is completely different from the Greek thinking. In 2.4, I will analyse sovereignty, violence and exception in the thought of Agamben, Hobbes and Carl Schmitt. My contribution to the discussion on Agamben's politics is to analyse how he uses Hobbes's theories on the state of exception and war in his texts and what can be drawn from this with regard to Agamben's political theory. This approach – concentrating on just one of the thinkers that Agamben discusses, Thomas Hobbes, and one aspect, war and the state of nature, has not as yet been analysed in detail by commentators, although both Prozorov and Whyte have brought it up in their work on Agamben (see subchapters 2.1.5 and 2.1.7).[7]

In this chapter and also in the following two chapters, I will use Schwartz-Shea's and Yanow's idea of puzzles emerging from the field which, in this case, is Agamben's writings concerning Hobbes and Hobbesian ideas, especially the state of nature and war (Schwartz-Shea & Yanow 2012, 27–28, 38).

7 The same holds for Chapters 3 and 4: similarly, the ways Hobbes's idea of war is discussed in Esposito's and Negri's work have not been studied in detail before, as far as I know.

The reason for bringing Schmitt and his books *Political Theology*, *The Concept of the Political*, *The Leviathan in the State Theory of Thomas Hobbes* and *Dictatorship* into the discussion in this chapter is Schmitt's crucial role for Agamben's political theory in both *Homo Sacer* and *The State of Exception* (de la Durantaye 2009, 336). Agamben's use of Schmitt, moreover, has been heavily criticized because of Schmitt's role in the Third Reich (see de la Durantaye 2009, 363–364 for a presentation of criticism against Agamben on this point). Walter Benjamin's influence on Agamben's political work is also considerable (de la Durantaye 2009, 342–343).

Sovereignty and sovereign power are the main Hobbesian points that Agamben examines. They are discussed in order to deconstruct them and to find an alternative to sovereign power. His alternative is to find a new, post-sovereign way of organizing common life after a generalized state of exception created by sovereign power. He aims to "break the bonds of sovereignty and conceive of a new politics and a new idea of community" (de la Durantaye 2009, 233), which is an aim that has similarities but also differences with Esposito's and Negri's aims. These similarities and differences will be discussed in Chapter 5.

Giorgio Agamben is interested in the idea of the end of time, both its religious meaning and its political implications, and the eschatological meaning of Hobbes's Leviathan: he sees Leviathan as a symbol of time that is approaching its end. I will briefly discuss this theologically orientated point of view on Hobbes and Agamben in subchapter 2.3.2.

For Carl Schmitt, the sovereign is "he who decides on the exception" (Schmitt 1985, 5). The state of exception is a state of violence because ordinary laws do not apply, and all power is concentrated in the hands of the sovereign. Citizens no longer get the protection of their rights as in a state described by Thomas Hobbes, where individuals have given up their rights in order to exit from the state of nature and to live in peace. Individual rights are sacrificed in both Hobbes's scheme and even more strongly in Schmitt's state of exception. Hobbes himself does not use the term 'exception' but Giorgio Agamben has pointed out that in Hobbes the violence of the state of nature continues in the person of the sovereign (Agamben 1998, 15, 32, 107), a view also adopted by Roberto Esposito (Esposito 2010, 30). Agamben describes the state of emergency as a zone of indistinction between the state of law and the state of nature, a space devoid of law (Agamben 2005a, 50–51). Agamben notes that the declaration of the state of exception in our times has been replaced by a generalized paradigm of security, bringing

along a new form of violence: the concepts of 'state' and 'law' themselves are at issue, and thus it is not possible to return to the state of law from the actual state of exception (Agamben 2005a, 14, 87).[8]

The question of violence and law comes up constantly in the works of Agamben, Hobbes and Schmitt: on the one hand, law prevents violence in the classical idea of the rule of law, but on the other hand, violence preconditions law, because someone has to take power, in a more or less violent encounter, before the state of law is established, and violence is a latent prerequisite for maintaining law and order (e.g. the police force, the army, border control).

I will return to these questions in parts 2.3 and 2.4. First, I will present commentaries on Agamben, Hobbes and Hobbesian themes.

2.1 COMMENTARIES ON AGAMBEN AND HOBBES

There are numerous books on Agamben and politics, both monographs and collections of articles, centred around the post-sovereign forms of power Agamben discusses, and his concept of inoperativity. Not all of them mention Hobbes explicitly, so I will present some books and articles that deal with Agamben's politics with or without a direct relation to Hobbes, but all dealing with Hobbesian themes, such as sovereignty and war.

2.1.1 Newman

In the article "What is an Insurrection? Destituent Power and Ontological Anarchy in Agamben and Stirner", Saul Newman brings out some interesting ideas about destituent power – a concept developed by Agamben (see Agamben 2014: "What is Destituent Power"), and some of its practical manifestations. Newman proposes "to formulate an alternative model of insurrectionary political theory as a way of understanding non-hegemonic,

8 Agamben's book *State of Exception* (Agamben 2005a), despite its mostly philosophical approach, comments especially on 9/11 and the following War on Terror. In 2020, Agamben has actively commented on and criticized the handling of the coronavirus crisis in essays published on the internet (and in Italian in a Kindle Edition *A che punto siamo? L'epidemia come politica*, Quodlibet 2020). See, for example, Agamben 2020, where he questions the legitimacy of emergency decrees in Italy and is worried about the prospect of a permanent state of exception. This worry seems to contradict his thesis that we are already living in a permanent state of exception.

post-sovereign forms of radical politics today" (Newman 2017, 285). Newman compares Agamben and Stirner, a 19th-century anarchist theoretician, in "What is an Insurrection?". His claim is that in the modes of organization of movements such as Occupy or Tahrir Square there is a new form of post-sovereign politics that includes decentralization, spontaneity and non-representation. The aim is to cultivate autonomous forms of political association and life (Newman 2017, 297; Ugilt 2014, 101, also makes a connection between Agamben's theory and the Occupy movement). This cultivation of autonomic politics could be seen as Agamben's aim, as well as Esposito's and Negri's aim, although Esposito does not say this as explicitly as Agamben and Negri do.

According to Newman, Agamben's (and Stirner's) thinking could be characterized as anarchistic since they are opposed to state sovereignty, but both Agamben's and Stirner's relation to the anarchist tradition is ambiguous: "[T]hey radically destabilise existing political categories and institutions, thus opening up an alternative space in which new and more autonomous forms of subjectivity, action and community can emerge" (Newman 2017, 286). Resistance to global capitalism in the form of Occupy movements or the protests against the World Trade Organization (WTO) summit in Seattle in 1999 have raised interest in anarchism "as an alternative non-Marxist or non-Leninist form of radical politics, especially because of the decentralised, democratic 'networked' structures and forms of direct, extra-institutional action they seem to embody" (ibid.). Newman describes the difference between an insurrection and a revolution by saying that the insurrection is extra-institutional. A revolution of institutions would just mean new institutions, whereas an insurrection seeks "to keep open a space of political contingency in which new and autonomous practices, discourses and relations might emerge" (Newman 2017, 288). Newman states Agamben sees anarchism without its usual foundation in human nature nor social relations as a *starting point* of his political thinking rather than an end, and Agamben could be described as a post-anarchist and an "ontologically anarchic" political thinker, meaning that he does not propose an alternative to displaced sovereign power (Newman 2017, 289–290).

Newman links Agamben's key concept of inoperativity to destituent power, which can be seen for example in the discussions related to protest movements against neoliberal capitalism, and to such movements as Tahrir Square in Egypt. In Argentina in 2001 it "referred, then, to an extra-institutional form of political mobilisation that sought autonomy from state

institutions rather than representing specific demands and interests through the state" (Newman 2017, 287–288, 294, 297). Agamben offers inoperativity as a solution to various areas, not just politics and statehood: inoperative language, inoperative history, and, finally, inoperative humanity. His idea of politics has been criticized by Negri for not replacing sovereignty with an alternative form of sovereignty, order or state (Prozorov 2014, 60, 126, 150, 177–178).

Newman writes that Agamben (and Stirner) "point to the possibility of alternative, non-statist and autonomous forms of association and community which are not representable through existing political categories and institutions; which are perhaps – indeed inevitably – vaguely defined, but which open up an alternative insurrectionary horizon for politics" (Newman 2017, 294). Agamben is suspicious of free will and voluntarism. His aim is a "coming community" of stateless people leading an inoperative life (ibid., 296–297).

Newman's idea of Agamben's anarchism as a starting point rather than an end is relevant to my argument on Agamben reversing Hobbes's state of war so that he believes we live in a permanent state of exception, because Agamben's wish for post-sovereign politics which would overcome exception could be read as anarchist. Seeing anarchism as not an end for Agamben is an illuminating observation, although Newman uses Agamben's theory as a basis for an insurrectionary, post-sovereign political theory.

2.1.2 De la Durantaye

Leland de la Durantaye has a similar view as Newman on Agamben's politics concerning the inoperative life, based especially on Agamben's book *The Coming Community* and its new postface. He writes that for Agamben, mankind has no destiny that it must follow, nor a determinate work, essence, task, or vocation; man is instead a being of pure potentiality (de la Durantaye 2009, 388). He also approaches Agamben's analysis in the same book, *The Coming Community*, of the Chinese protests in 1989 through Agamben's idea of Bartleby, the inoperative scrivener in Herman Melville's tale. For Agamben, Bartleby's resistance ("I would prefer not to") is a kind of attitude that the Chinese leaders feared the most in the protests, because it lacked determinate content, and this fear explains the violence with which the protests were suppressed (ibid., 164–171, also Ugilt 2014, 37–38, Prozorov 2009, 347, Prozorov 2014, 49–58). De la Durantaye examines the reactions

that Agamben's claim, "the concentration camp is the biopolitical paradigm of the modern age", has provoked. Many commentators have been shocked. De la Durantaye seeks the answer in Agamben's use of paradigms that shares the same understanding of them as Foucault and Plato: a paradigm is an example. For Foucault, the panopticon was a paradigm for a governmental model, and a possibility of a dark future in the same way that Agamben's idea of a concentration camp is a paradigm for both the present and a possible future. Negri criticized Agamben's use of the concentration camp as a paradigm stating that "[l]ife and death in the camps represents nothing more than life and death in the camps" and continued by describing this life and death as "a horrific spectacle of the destiny of capitalism" (de la Durantaye 2009, 217). De la Durantaye notes that Negri himself uses life and death in the camps as a representation of something else – the destiny of capitalism, but the question of whether the concentration camp can be used as a paradigm remains relevant (de la Durantaye 2009, 213–219).

Homo sacer and Nazi concentration camps are for Agamben examples of the state of exception. De la Durantaye mentions Hobbes when discussing Agamben's *Homo Sacer*: the problem for Hobbes (and Schmitt) is that "in the constitution and consolidation of every new state there is a transition from a revolutionary and anarchic force abundantly present in the 'constituting power'" (de la Durantaye 2009, 230) before an organized, constituted power is set, and how this transition should be justified and regulated. Agamben criticizes Negri's idea that the constituting power could be separated and isolated from sovereign power (ibid., 228, 230–231, Agamben 1998, 43–44; for Hardt and Negri's response on the separation, see Hardt & Negri 2017, 33). Negri, on the other hand, has described Agamben's political reflections as utopian and escapist, whether it comes to Agamben's concept of the bare life or to his books *Homo Sacer* and *State of Exception* (de la Durantaye 2009, 348). Ernesto Laclau accused Agamben of political nihilism, and several of Agamben's critics and commentators have found worrying his idea, borrowed from Marx, about a desperate state of affairs in society filling him with hope (see, for example, Whyte 2013, 16, 22, 24, Mcloughlin 2014, 327, de la Durantaye, 349).

De la Durantaye cites Agamben's *Means Without End* (2000): "before extermination camps are reopened in Europe (something that is already starting to happen), it is necessary that the nation-states find courage to question the very principle of the inscription of nativity as well as the trinity of state-nation-territory that is founded on that principle". Agamben searches

for a profane order where distinctions would cease to have their divisive force, and there would be a "threshold of de-propriation and de-identification of all modes and all qualities" (de la Durantaye 2009, 358, 386–387). This idea of de-identification has similarities with Roberto Esposito's thinking about the impersonal (see the chapter on Esposito, subchapter 3.4.4). De la Durantaye discusses Agamben's book *The Coming Community* and sees elements of both communism and of messianic theology in Agamben's idea of a "coming community". Agamben, like Walter Benjamin, does not consider that there would be an inconsistency between these (de la Durantaye 367–369).

De la Durantaye's discussion on Agamben's paradigm of the concentration camp for the state of exception is interesting from the point of view of my argument. The paradigm is an illustration – although a very contested one, as we can see – of what the state of exception for Agamben means. De la Durantaye also raises the issue of Agamben's political aims, which are not very clear, and which can be seen to have a worrying side to them, such as in the idea of seeing a desperate situation as hopeful. I will come back to the question of Agamben's alternatives to the current order in my conclusion, Chapter 5.

2.1.3 Mills

Catherine Mills, in *The Philosophy of Agamben*, also emphasizes the role of Schmitt and Benjamin in Agamben's work on politics. She suggests that Agamben's account of biopolitics is more "an attempt to fulfil or complete Benjamin's critique of Schmitt's theory of sovereignty than it is an attempt to 'complete' Foucault", as it is often read (Mills 2008, 60). What is common to Schmitt, Benjamin and Agamben, is the central role of exception in their thought. Ultimately, Agamben's sympathy goes to Benjamin, who releases the power of the exception "into a new politics beyond law and beyond the state" whereas Schmitt redirects it back to the juridical order (ibid., 66). Mills examines the paradox of sovereignty (the sovereign that is simultaneously inside and outside of the juridical order), and the position of the bare life in Agamben between biological life, *zoe* and political life, *bios*, but being neither of them (ibid., 62, 64). Mills criticizes the practical uses of Agamben's concept of bare life, claiming that the concept cannot be separated from a critique of the history of metaphysics (ibid., 69, 79). She writes that Agamben's idea of keeping potentiality and acting separate from each other distinguishes him from Antonio Negri and other Italian political

theorists (ibid., 74). She comments on Negri's criticism of Agamben's passivity: "According to Negri and his long-time collaborator, Michael Hardt, Agamben's error is to construe bare or naked life as fundamentally passive in relation to sovereign violence, singularly exposed without recourse or response" (ibid., 75). Passivity (inoperativity) and action seem to be a major dividing line between Agamben and Negri.

Agamben's important terms in his political theory "form-of-life"[9] and "happy life" are means of overcoming the sovereign ban, which means a "state of exception as a zone of indistinction between outside and inside, exclusion and inclusion" (Agamben 1998, 181; for a more thorough explanation of the ban, see, for example, Agamben 1998, 109, Prozorov 2009, 328, Prozorov 2014, 99–103, Ugilt 2014, 42). Natural life and political life should not be separated in the happy life (Mills 2008, 77).

Mills's analysis of the paradox of sovereignty in Agamben is related to my thesis. It shows that instead of the Hobbesian sovereign ending war, Agamben's idea of sovereignty is more complicated: it is both inside and outside of the juridical order, and as such, it cannot end the state of nature as a state of war.

2.1.4 Ugilt

Rasmus Ugilt offers a clear presentation of Agamben's proposal of a completely new political thought in *Giorgio Agamben: Political Philosophy*. For Agamben, the new basis of political thought should be a stateless human being, stripped of all rights, instead of a citizen, which has traditionally been the starting point for political philosophy (Ugilt 2014, 7). Ugilt observes that Agamben follows Carl Schmitt's definition of the notion of sovereignty, where the exceptional situation and the decision on the exception itself defines who is the sovereign, but that Agamben proposes a slightly different definition of the sovereign: besides deciding on the exception, the sovereign incorporates bare life into the legal order (ibid., 49–50, 55).

Schmitt and Hobbes have the similarity of fighting anarchy philosophically by establishing an absolute hierarchical system of political power. For

9 According to Prozorov, Agamben's solution for overcoming the Hobbesian sovereign and the bare life it produces, is integrating life to its form, a form-of-life (Prozorov 2015, 61–63). For more on the concept of form-of-life and on Agamben's *The Highest Poverty* (2013), where the concept is developed in detail, see subchapter 2.1.5 on Prozorov and Agamben in this dissertation.

them, mere survival is the aim of politics. Schmitt, unlike Hobbes, thinks that the power of the state is limited. It cannot control everything everywhere. Agamben differs from the two and highlights the paradox of sovereignty, meaning that order and chaos cannot be completely separated, even in Schmitt's own theory. A certain anarchy is always included in the legal system in the relation between the sovereign and his subjects. Agamben does not accept Schmitt's and Hobbes's idea of a natural state of pure anarchy or of the need for a strong central state power. Human life includes more than mere survival unless something is actively done to it to reduce it to bare life. Sovereign power needs to produce and uphold bare life to keep its power (ibid., 56–59, 63). Ugilt's conclusion on Agamben's definition of sovereignty in *Homo Sacer* is that we cannot be free "[a]s long as we live in the political world, where the link between bare life and sovereign power in the final instance will dominate the organization of our lives" (ibid., 62). Ugilt notices a change in Agamben's thinking from *Homo Sacer* to *State of Exception*, a move away from the Schmittian paradigm, although these two books are usually read as part of the same line of Agamben's political thinking. In the latter book, Agamben develops the idea that the dictatorship model is not the only model for exceptional situations, but only a certain legal category from Roman law. He prefers *iustitium*, the suspension of law, which is also a category from Roman law. The (in other circumstances) illegal acts committed during the *iustitium* are not crimes because law is not functioning. Considering this kind of zone of indistinction, the Schmittian distinction between anarchy and law is too simple. In Agamben's *The Kingdom and the Glory* the move away from Schmitt becomes even stronger: Agamben claims that instead of political theology, "the central modality of power in the occident today is (theological) economy" (ibid., 63–69, 84). Ugilt points out Agamben's idea in *The Kingdom and the Glory* of the emergence of an administrative paradigm of politics, the origin of which Agamben finds already in early Christian theology. Instead of a centralized sovereign power, this administrative paradigm emphasizes administrative power from a peripheral point. The empty throne on the cover of Agamben's book is an illustration of this paradigm: power is elsewhere than in the sovereign, for example in the ministers' offices (Ugilt 2014, 88–89).

Ugilt shows similarities between German tragic drama and Schmitt's idea of sovereignty that Benjamin raised in an aesthetic work, *The Origin of German Tragic Drama*. They both originate in the Baroque era. The peace of Westphalia was the starting point for the sovereign state. In the German

drama from the Baroque era, the indecisiveness of the tyrant was an important theme. According to Ugilt, this indecisiveness takes place *after* the decision on exception, which is the main area of Benjamin's and Schmitt's debate on exception. Agamben claims that Schmitt's book *Political Theology* is an answer to Benjamin's *Theses on the Philosophy of History*. Agamben takes his idea of a permanent state of exception from Benjamin's eighth thesis, "The history of the oppressed teaches us that the state of exception in which we live is the rule" (ibid., 72–74).

Ugilt's analysis of Agamben's idea of the sovereign including bare life in the legal order is consistent with my argument about Agamben's sovereign maintaining a state of war rather than stopping it.

2.1.5 Prozorov

Sergei Prozorov has written several articles and a book on Agamben and politics. His focus is often on Agamben's concept of inoperativity. Three of the articles (Prozorov 2009, 2011 and 2015) touch directly on Agamben's reading of Hobbes. In them, the reappropriation of the state of nature proposed by Agamben and the relation between nature and artifice are recurring themes.

Prozorov's article "The Appropriation of Abandonment: Giorgio Agamben on the State of Nature and the Political" (2009) deals with "Agamben's reading of Hobbes that deconstructs the classical distinction between the state of nature and the civil state of the Commonwealth" (Prozorov 2009, 328). Schmitt's influence on Agamben's reading of Hobbes is crucial, but Agamben takes Schmitt's idea of equating the state of nature and the political further, claiming that the state of nature is a product of sovereign power rather than something that precedes it (Prozorov 2009, 328–329). Except for the "savage people of America", Hobbes's examples of the state of nature are contemporary: arming oneself or locking the doors when away from home. This supports Foucault's claim about the state of nature continuing even when the State has been constituted (ibid., 332–334). For Agamben, the state of nature is preserved in the person of the sovereign and in the right to punish. The state of nature becomes indistinct from the political order in late modernity through the state of exception. Unlike for Hobbes, the state of nature for both Agamben and Schmitt is a reality. Agamben proposes taking up the state of nature for profane use, where anomie is no longer the privilege of the sovereign, and which would no longer be a state of war (ibid., 335, 337, 341, 343, 347).

Agamben takes Aristotle's idea of man as a being without any specific vocation and develops it into a theory of potentiality which abandons identity as a relevant political category (Prozorov 2009, 345–346). This takes us away from the fashionable identity politics and politics of recognition: "As opposed to the Hegelian emphasis on the struggle for recognition as the quintessence of political praxis, the problem for Agamben is not the recognition of every identity, but rather the affirmation of *non-identity* within the identitarian structure of the state" (Prozorov 2009, 347). Identities should be rendered inoperative or deactivated. This non-recognition constitutes peace – an idea which for Prozorov is Agamben's most extreme departure from the Hobbesian, and more generally, from the contractarian logic of the political. Contracts aim to ensure identities (Prozorov 2009, 347–348, see also Prozorov 2014, 80).

The article also approaches a theological aspect in Agamben's political thinking: Agamben puts Hobbes's theory in the category of theories of the state which claim to be powers that block or delay catastrophe – theories which for Agamben can be taken as a secularization of an interpretation of St. Paul's Second Letter to the Thessalonians, where St. Paul writes about a *katechon*, something that hinders breaking of the lawful order (Prozorov 2009, 339, The Bible). According to Prozorov, theology is a fundamental aspect of Agamben's reinvention of politics (Prozorov 2014, 5).

In his article "The State of Nature as a Site of Happy Life: On Giorgio Agamben's Reading of Hobbes", Prozorov finds that the reception of Agamben's work in the English-speaking world focuses on the critical side of his thinking, leaving out the affirmative aspect which would mean a post-sovereign politics of happy life, "the reappropriation of the state of exception by the subjects caught in its operation and a different use of the condition of abandonment, to which they are resigned by the logic of sovereignty" (Prozorov 2011, 123–124). Agamben suggests that the state of nature should be reappropriated as a space of social praxis (Prozorov 2011, 123–124; see also Prozorov 2015, 61, for the affirmative approach Prozorov 2009, 328).

Prozorov criticizes William Rasch's reading of Agamben, where Rasch claims that Agamben dehistoricizes the Hobbesian construction of the state of nature. Prozorov notes that the state of nature was presented as an ahistorical principle by Hobbes himself. The purpose was to gain the consent of the governed to the existence of already constituted power. The difference between Agamben and Hobbes is rather the reality of the state of nature: for Hobbes, the war of everyone against everyone was a fiction meant to legitimize the state,

while Agamben wants to restore the state of nature to a product of sovereign power. Prozorov explains that the state of nature in Agamben's interpretation of Hobbes is an "instance of the non-juridical within the juridical" rather than pre-juridical. This non-juridical is essential for the functioning of the political and juridical order. It is the potential of the law not to be. For Agamben, the area of the state of exception, which is also the state of nature, has expanded from limited moments such as the death of the ruler, to the "entire domain of the *nomos* itself" (Prozorov 2011, 128–132, Prozorov 2009, 333).

Prozorov presents Agamben's critique of sovereignty in terms of good and evil, of which Agamben opts against the Absolute Evil of sovereignty: "Agamben's critique of theories of sovereignty from Hobbes to Schmitt may thus be summed up in the claim that the 'lesser evil' of sovereign power is nothing less than Absolute Evil, since it is able to present itself as the Good despite being the origin of the very evil it struggles against" (Prozorov 2011, 133, Prozorov 2009, 338). Agamben affirms the historical reality of civil war as the origin of all constituted authority and abhors violent situation, and yet Agamben's analysis does not help us to see how they could be escaped: neither perfecting the legal system to avoid all exception nor a return to the pre-political state of nature is an option for Agamben. Instead, the state of nature as a state of exception can be reappropriated so that anomie is no longer the privilege of the sovereign (Prozorov 2011, 135–137, see also Prozorov 2014, 103–104). Agamben's vision of a real state of exception is rooted in Schmitt's reading of Hobbes, although Schmitt and Agamben end up with different conclusions about the situation: for Agamben, the real state of exception and the degradation of politics is an aim and a possibility for future change, and for Schmitt, it is a catastrophe. Agamben, unlike Schmitt and Hobbes, wants to overcome the separation between potentiality and actuality, freeing the anomic potentiality of social life from the sovereign (ibid., 138–140).

In the article "Why Giorgio Agamben is an Optimist" Prozorov makes an interesting question of why people would opt for abandoning their life in a society of spectacle intertwined with a biopolitical state sovereignty that Agamben abhors but which most people find comfortable. Thus, rather than radical, Agamben's project seems modest to Prozorov: a "form-of-life" limited to a minority (Prozorov 2010, 1054–1055, 1062–1063; Prozorov 2014, 183; for the society of spectacles, see for example Agamben 2015b, xix). Agamben's aim is not to give a toolkit for action in the sense that Foucault suggested his own writings could be, but instead to show the subjects' potentiality for whatever being (Prozorov 2010, 1066).

In his article "Towards a Post-Hobbesian Political Community? Nature, Artifice and the Form-of-Life" (2015) Prozorov writes about both Agamben's and Esposito's readings of Hobbes and their alternatives to the Hobbesian political community. He argues that political thought in general, including Hobbes's, moves in the space between nature and artifice, and that Agamben aims at deactivating this relation. Contemporary continental thought has widely problematized the distinction between nature and artifice. For Agamben, the Hobbesian state of nature is an artefact produced by sovereign power, and Hobbes's political community, centred around the sovereign, threatens that which it was meant to protect, namely human life itself (Prozorov 2015, 50–52, 56).

Prozorov gives an account of Esposito's and Agamben's readings of Hobbes which emphasizes that they are not so much interpreting Hobbes as searching for a ground to criticize certain tendencies in modern political thought: "For both Esposito and Agamben it is less a matter of exhaustively interpreting Hobbes than of relying on his thought to establish a particularly illustrative or striking example of a tendency in modern political thought to constitute and legitimize authority by conjuring the negativity that it then interprets as natural and seeks protection from" (Prozorov 2015, 58). Agamben's solution for overcoming the Hobbesian sovereign and the bare life it produces, is integrating life to its form, a form-of-life (Prozorov 2015, 61–63).

An illustration of a form-of-life, of life and rules becoming eventually inseparable from each other, is developed in detail by Agamben in his book about monastic life, *The Highest Poverty: Monastic Rules and Form-of-Life* (Agamben 2013). McLoughlin, who also discusses the book, sees it as a description of a laboratory of politics: *"The Highest Poverty* analyses monasticism as a privileged site for the development of the practices of government that now dominate politics" (McLoughlin 2016, 4) Agamben presents exile as a constitutive political principle. Monastic exile from the world can be seen as the foundation of a new community and a new public sphere (Agamben 2013, 50). He compares a monk's obligation to Hobbes and Rousseau, for whom the authority of the sovereign has no limits. In the monastery, there is a limit to the power of the leader: the abbot has the obligation to govern with justice (Agamben 2013, 53). In religious movements between the 11th and 12th centuries, a certain way of life became important instead of following rules or professing a certain article of faith (ibid., 91–93).

Prozorov emphasizes that form-of-life "does not refer to any specific *kind* of life" (Prozorov 2015, 63), so the life of the monks, or of any other group

of people would not be directly a "form-of-life" for Agamben but rather an example of a process applicable also in other spheres of life.

Prozorov's *Agamben and Politics* (2014) shows similarities in Agamben's thinking of language, statehood, history and humanity, all interweaving in the idea of inoperativity, the possibility of rendering inoperative different structures of power around human beings. For Agamben, the inoperativity of the slave renders the Hegelian master–slave dialectics obsolete: the slave does not become the new master but instead leaves the recurring cycle of struggles (Prozorov 2014, 143).[10] Agamben's philosophy of language is converted into political thought: languages are dependent on state support in the same way that communities are. A language without a "state dignity" such as Catalan, Basque or Gaelic is treated as jargon in the same way as "a people without a state makes no sense and has no rights" (Prozorov 2014, 4, 37–38, 76). Prozorov analyses Agamben's reading of Hobbes's state of nature, where the state of nature is an ongoing, current situation instead of an antecedent epoch of the political order, and the state of nature survives in the person of the sovereign. The secure commonwealth is revealed to be a perilous state of nature rather than just having occasional flaws in the political order (Ibid., 103–107). The state of war in which we live, according to Agamben, is a holistic crisis of Western politics, and therefore we have nothing to lose from a disruption of the existing apparatuses of government (ibid., 180). I will return to Prozorov's reading of Agamben's state of exception in subchapter 2.4.4.

The reappropriation of the state of nature, which Prozorov analyses, which would no longer be a state of war, is essential from the point of view of my argument of Agamben believing that we have not yet got out of the state of nature. The reappropriation is Agamben's next move, a proposal of what should be done to get out of the generalized state of exception, which is a state of war. I have directly adopted Prozorov's argument that for Agamben the state of nature is a product of sovereign power rather than that it precedes it. Prozorov's idea about non-recognition constituting peace for Agamben is an interesting point of view, contrasting the Agambenian emphasis on non-identities with how Hobbes's contract is needed to ensure identities.

10 This concept of leaving a recurring cycle has similarities with Negri's idea that the multitude never becomes the new sovereign, and sovereignty altogether is left behind (see Chapter 4.3 in this dissertation).

2.1.6 Rasch

William Rasch's article "From Sovereign Ban to Banning Sovereignty" (Rasch 2009) offers an interesting discussion of Agamben, Hobbes and the rule of law opposed to the sovereign rule. Rasch argues that the difference between Hobbes and Agamben lies in that what for Hobbes is a prepolitical state of nature is for Agamben *the* political (Rasch 2007, 101). This is an argument I will develop further in subchapters 2.3–2.5. I will return to Rasch's article later in the chapter in the discussion about the state of exception.

2.1.7 Whyte

Jessica Whyte's *Catastrophe and Redemption: The Political Thought of Giorgio Agamben* raises the theological aspects of Agamben's political thought: messianism and the role of *katechon* at the end of history, but also exception, and how Agamben's emphasis on exception reverses liberal political theory. She writes, "It is not identity or belonging but exclusion, not the rule of law but the state of exception that founds sovereign power and constitutes a political community" (Whyte 2013, 61).

Whyte approaches the question of the state of nature and Agamben in a chapter of *Catastrophe and Redemption*. She mentions two contemporary writers, Tesón and Ignatieff, for whom an imminent Hobbesian state of nature is a justification for military intervention. For Agamben, the sovereign is at the same time inside and outside the juridical order, and thus "the political order does not save us from the misery of the state of nature". His rereading of the state of nature aims at the possibility of escaping politics that is founded on the vulnerability of natural life (ibid., 63–65). Hobbes does not claim that the state of nature has existed prior to a civilized state. His examples of life in a state of nature are contemporary – a remark that Prozorov has also made (e.g. Prozorov 2009, 332, Whyte 2013, 65–66). For Agamben, Western politics seeks to create a zone of indistinction between nature and politics, and life and law. What is portrayed as natural is actually a product of the sovereign ban. As a solution for man's fallibility, Hobbes wanted to separate man's natural life (the state of nature) from the political life (the sovereign order). Whyte writes: "For the theorist of absolutism, as for many of Agamben's critics, there can literally be no politics without sovereignty" (Whyte 2013, 66). Agamben turns the relation between law and violence around: instead of law protecting us from the violence of the state of nature, he suggests that law is based on violence, on the killability of its subjects. Therefore, politics must be freed

from the sovereign power (Whyte 2013, 66–68). Whyte sees a huge difference between Agamben's aim of "a political community that is ordered exclusively for the full enjoyment of worldly life" (from *Means Without Ends*), of a *happy life,* and on the other hand, Hobbes's politics centred around the fear of the natural state, and Schmitt's sovereign politics (Whyte 2013, 70). Whyte makes some critical remarks about Agamben's "new politics", especially about the concept of "happy life" being underdeveloped and the political possibilities presented by Agamben for being in two extremes ("a liberal legal system and a murderous fascist state") without a choice somewhere in between. Finally, however, she takes sides with Agamben and for a politics that could be thought of as outside of a state: "Yet, to structure politics around the demand that the state protect us from violence is to sacrifice the possibility that life could be something other than survival. Agamben's thought disrupts the structuring of our political imaginations around lesser evils, fear, and the vulnerability of natural life, which anchors this imagination to the state" (Whyte 2013, 70–71).

Whyte confirms Agamben's idea that exception, rather than the rule of law, founds sovereignty and constitutes a political community, which is in line with my argument about Agamben reversing the Hobbesian state of nature and making it the product of sovereign power. Whyte's remark that the sovereign does not help to escape the misery of the state of nature and that for Agamben, Western politics aims at assimilation of nature and politics, life and law, is also consistent with this.

2.1.8 Mabon

An example of a practical adaptation of Agamben's complex political theory is Simon Mabon's article "Sovereignty, Bare Life and the Arab Uprisings" (Mabon 2017), which is also interesting because it extends Agamben's theory outside of the Western political sphere. Mabon presents bare life as the vulnerable life condition stripped of political life, of many people living in Arab countries where since 2011 there have been political uprisings. To put it shortly, Mabon claims that to overcome bare life, agency is needed in the Middle East. For him, bare life is some kind of a general category of misery, a product of structural violence that has resulted in discrimination, forced unemployment and violence in the region. The fragmentation of states and their structures has also resulted in conditions of bare life, together with the restriction of movement: "The implementation of the *kafala* system is perhaps the best indication of bare life in the Middle East, as a structure that

limits the possibility of agency, restricting the movement of individuals to the extent that passports are often held by employers" (Mabon 2017, 1792). He accuses Agamben of restricting agency and removing socio-economic contexts in his analysis, but despite this, he finds Agamben's approach useful for a structural analysis of the origins and roots of instability in the Middle East (Mabon 2017, 1785, 1790–1793).

Mabon underlines the violence of bare life but also the violence of attempts to escape it: "The marginalisation of people into the condition of bare life can occur as a consequence of a number of different contexts and processes, yet in attempting to escape these conditions, violent dislocations can occur between regimes and society, as witnessed in the Arab uprisings" (Mabon 2017, 1784). He pays attention to the power structures in the Middle East that are different from the Western states. The regime authorities are "often challenged by actors operating at both a sub-state and a supra-state level" (ibid., 1787), especially by tribal societies inside the states and by the supra-state ideologies such as pan-Arabism and pan-Islamism. Da'ish (or Isis) cooperated closely with tribal authorities, which helped it to gain power. The Da'ish promised to ensure security and stability – which interestingly comes close to the Hobbesian ideal of the sovereign ensuring these things, but Mabon does not discuss the Hobbesian aspect (Mabon 2017, 1784, 1787–1788). Compared to many other more philosophically oriented writers, Mabon gives a rather concrete meaning to bare life, limiting it to certain large groups of people.

With regard to the argument of Agamben reversing Hobbes's idea of the state of war, Mabon can be said to give bare life a similar position as Hobbes gives to the state of nature, meaning chaos and violence. Although bare life for Mabon seems to correspond to Hobbes's state of nature as chaos and violence, the difference is that for Mabon (and for Agamben) bare life is structurally produced, whereas for Hobbes the state of nature precedes structures. Agency is for Mabon a force that could be likened to the Hobbesian sovereign: when people gain agency, they are able to overcome the state of nature as bare life.

2.1.9 Overview of Literature on Agamben

Commentaries on Agamben have examined post-sovereign forms of power that Agamben develops, his concepts such as inoperativity, *iustitium* (the suspension of law) and bare life, messianism and his alternatives to the sovereign order, such as a "happy life" and a "form-of-life". Some of the commentaries (Newman, Mabon) have a strong connection to practical politics:

new, post-sovereign modes of organization for political movements such as Occupy or the Arab Spring (Newman), or using Agamben's concept of bare life to describe the lack of political power of some groups of people in the Arab countries (Mabon). Mills criticizes these kinds of practical uses of the concept of bare life, and I agree with her that the use of the concept may be oversimplifying some complex issues. Newman's article is illustrative in that it presents some examples of what Agamben's idea of post-sovereign political organization could be. Ugilt's emphasis on Agamben's idea of a stateless human being as the starting point for political philosophy instead of the citizen is also related to this post-sovereign thinking. These commentaries focus on Agamben's tendency to part from the state level in politics and to aim at constructing a new, post-sovereign level.

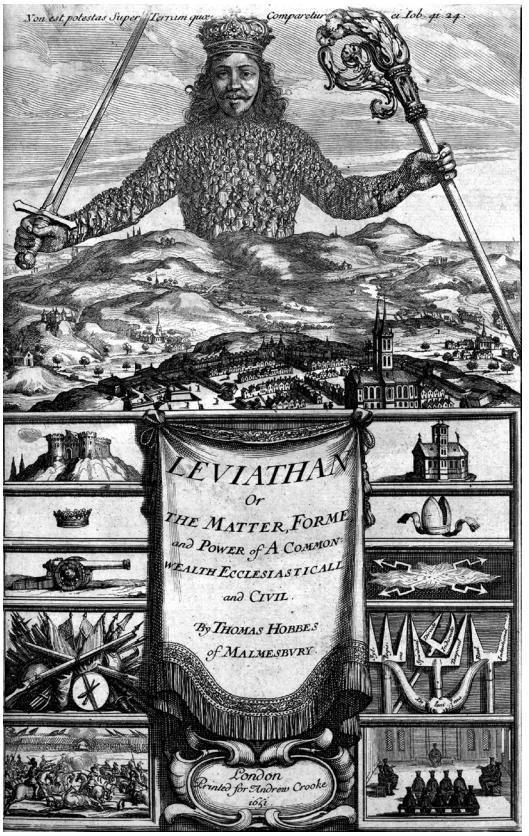
Other writers I have referred to above read Agamben's texts more closely and analyse his concepts and the discussion that has been going on about Agamben's theory. De la Durantaye emphasizes the worries that Agamben's positive idea of a desperate state of affairs in society have raised. In my understanding, Agamben's idea is that the prospect of change which is immanent in a desperate situation is more valuable than a gradual development towards a better society. This links him to Marxist revolutionary theories. Prozorov and Whyte have examined in detail the state of exception in Agamben and Hobbes. Prozorov in particular has investigated Agamben's ideas that we live in a generalized state of exception where law is suspended, which is practically a permanent state of war, and that since late modernity, the state of nature has been indistinct from political order. Whyte describes how Agamben reverses Hobbes's ideas: for Agamben, law is based on violence instead of putting an end to violence, and politics must be freed from sovereign power. Ugilt, too, writes about freedom from the "political world", where the link between bare life and sovereign power prevails. Following Prozorov's and Whyte's lines of thought on exception and war, I will now move to my own close reading of Agamben's political works through his use of Hobbes's work on war and the state of nature. First, I will compare Agamben's view of Hobbes with Quentin Skinner's through their interpretations of the bellicose frontispiece of *Leviathan*.

2.2 TWO INTERPRETATIONS ON THE FRONTISPIECE OF *LEVIATHAN*

2.2.1 The Meaning of Metaphors in Political Science: The Case of Leviathan

War and violence, or at least a disposition towards them, are strongly present in the frontispiece of *Leviathan*: the sovereign whose body is composed of other tiny bodies, is presented in control with a sword and a sceptre, reigning over his realm. In the panels below we can see, among other images, a canon, other weapons such as rifles, and an image of a battle.

Thomas Hobbes's metaphor of Leviathan as a symbol of the state or of the sovereign is very powerful and is consequently an inexhaustible subject of research. It has roots in the Bible (*The Book of Job*, *The Book of Psalms*, and *The Book of Isaiah*) and in later Jewish mythology. In *The Book of Job*, *Psalm* 104:26 and in the Talmud (*Bava Batra* 74b–75a) it is described as an invincible sea monster, and in *The Book of Isaiah* as a snake (The Bible, *Book of Job* 40:25–41:26, *Book of Isaiah* 27:1). The frontispiece to *Leviathan* visualizes this mythical character. In the analysis of the frontispiece, there are two levels of representation: the picture is a visual representation by the artist, Abraham Bosse, of a symbol or of a metaphor of the state, although the definition itself of Leviathan as a symbol or as a metaphor would be a subject of lengthy discussion. I will next exam-



Picture: Frontispiece to Thomas Hobbes's *Leviathan*, 1651, by Abraham Bosse.

ine Giorgio Agamben's interpretation of the frontispiece with background on his interpretation of Hobbes more generally and compare it with a more conventional one by Quentin Skinner, with which I will begin. We can say that the visual analysis of the picture echoes the different interpretations of Hobbes's theory by the two writers. Skinner pays much attention to the context of the frontispiece and to the mutual interplay between obedience and protection, whereas Agamben examines certain details in the picture as visual symbols of Hobbes's theory.

2.2.2 Skinner: The Interplay between Obedience and Protection Visualized

To continue with the comparison I made in the Introduction, Chapter 1, between the three Italians' and Quentin Skinner's interpretations of Hobbes, I shall compare Skinner's and Agamben's interpretations of the frontispiece of *Leviathan*. This will be an example and illustration of the difference between Skinner's and Agamben's interpretation of Hobbes. Skinner makes it clear that Hobbes had an influence on the design of the frontispiece and that Hobbes presented his own ideas to the artist who actually drew the picture (Skinner 2008, 185). He draws attention to how Hobbes presented a manuscript copy of *Leviathan* to the future king Charles II, and the copy had a version of the famous frontispiece, and that the picture embraced revolutionary changes (ibid., 185). For Skinner, the picture also illustrates Hobbes's theory of the artificial person of the sovereign and his relations with his subjects, who construct the sovereign through authorization and representation (ibid., 187). As Skinner puts it: "The sovereign is […] shown to owe his position entirely to the support of his subjects" (ibid., 191).

There is a mutual interplay between obedience and protection that is visually portrayed in how the Leviathan is actually made up of people in its arms and in the central parts of its body, and how some people kneel to show their submission to the sovereign (ibid., 192, 198–199). Skinner summarizes his argument thus: "It is this conception of the state as a terrifying and at the same time protective force that Hobbes's frontispiece strives to represent" (ibid., 198).

The weather in the picture is pleasant and the landscape peaceful, which was typical of the similar frontispieces at the time (ibid., 193). Skinner does not seem to pay attention to the city encircled by a wall, which Agamben highlights in his analysis, as we will see later. Both Agamben and Skinner

mention two sets of five panels on the left and right, representing different aspects of temporal and ecclesiastic power. For Skinner, the position of the Leviathan above the panels means that he is controlling both powers:

> The ability of the sovereign state to dominate its territory – dwarfing town and countryside alike – is shown to stem from the fact that the sovereign representative of the state unites in his person all the elements of ecclesiastical as well as civil authority. The latter elements are symbolised by the sword in his right hand, the former by the crosier in his left. He is judge of all causes in the spiritual as well as the temporal realm. (Ibid., 192)

> This coming together of the multitude as one Person under the will of a single sovereign is in turn shown to act as a unifying and pacifying force. Below the sunny and peaceful landscape over which the artificial person of the sovereign looms, we see a number of potentially disruptive tendencies in the form of various pretensions to civil and ecclesiastical authority, all of which, as Hobbes's visual pun insists, need to be 'kept under' the power of the Leviathan state if its subjects are to be adequately protected and secured. (Ibid., 193)

Both lowest panels according to Skinner represent something negative for Hobbes: on the left-hand side, a battlefield, and on the right-hand side, an ecclesiastical dispute observed by priests. Skinner concludes: "Such is the final outcome, Hobbes graphically suggests, of allowing spiritual and temporal powers to be divided when they ought to be firmly held in the sovereign's hands" (ibid., 195–196). In my understanding of the frontispiece, it is not clear that the lower right-hand side picture of the two panels (an ecclesiastical dispute) represents something negative as such, but when we take into account the content of the book, the intention of the picture as Skinner describes it, becomes credible.

Skinner notes that Hobbes contests the idea of hereditary right in the frontispiece: "His image of the commonwealth essentially as a protective force embodies a powerful challenge to legitimist principles" (Skinner 2008, 182).

Skinner writes about the limits of visual representation in the frontispiece: in the text Hobbes argues several times that the sovereign is the soul of the commonwealth but since the soul is difficult to portray in a picture, he is given the more traditional form of a head (Skinner 2008, 190).

In Skinner's Warburg Institute lecture from 2016, he finds the shape of a triangle in the frontispiece if we continue the lines of the sword and the

crozier in the picture linearly. This possibly means at least two things: the shape of England which is close to a triangle and the Holy Trinity as an analogue to the sovereign and the state. In Hobbes's time it was popular to classify states according to their geographical shapes, and England's shape is closest to a triangle. According to Skinner, this was Hobbes's way of saying: "this is a book for the English", although he wrote it in exile in France. The other meaning of the triangle points to a more religious meaning: the Holy Trinity as the "exact analogue of the state". If Leviathan is the mortal god, as Hobbes claims, it is like the immortal God, and it must be made of three persons: 1) the natural person, 2) the artificial person, who is representing someone else, and the artificial person can also be a group authorizing the sovereign head, and 3) the state, where the multitude is made one. This is the secularization of the Holy Ghost (Skinner 2016). Skinner also notes a visual pun in the frontispiece: the sovereign is "armed by his people", as his arms are made of people (Skinner 2016).

Unlike Agamben, Skinner emphasizes the meaning of context in theory, and in *Hobbes and Republican Liberty* (Skinner 2008) he also presents several frontispieces of books from Hobbes's time and shows how *Leviathan*'s picture is either different or similar to them. This careful analytical approach is reminiscent of how he carefully approached Renaissance rhetorical culture in *Reason and Rhetoric in the Philosophy of Hobbes* (Skinner 1996, see subchapter 1.3 in this dissertation). According to Skinner, the frontispiece to *Leviathan* is different from the other frontispieces of the time in that there is no sign of the divine origin or character of power (Skinner 2008, 191). I will now present Giorgio Agamben's analysis of the frontispiece.

2.2.3 The Unrepresentable Multitude

In *Stasis: Civil War as a Political Paradigm*, Agamben analyses in detail the frontispiece of *Leviathan* and draws attention to two facts in particular: that the figure of the Leviathan, the commonwealth, is situated outside the city, in a sort of non-place, and that the city in the picture is practically empty: there are no inhabitants, only some armed guards and plague doctors. This he connects with the Hobbesian separation of the people and the multitude (Agamben 2015a, 27–29, 37; on the multitude see also Chapter 4 on Negri):

> It is a commonplace that in Hobbes the multitude has no political significance; that it is what must disappear in order for the State to be able to exist. Yet if our reading

> of the paradox is correct – if the people, which has been constituted by a disunited multitude, dissolves itself again into a multitude – then the latter not only pre-exists the people-king, but (as a *dissoluta multitudo*) continues to exist after it. What disappears is instead the people, which is transposed into the figure of the sovereign and which thus 'rules in every city', yet without being able to live in it. (Ibid., 37)

What is the meaning of guards and doctors as the only persons present in the city? Agamben answers by emphasizing the biopolitical aspect of these symbols: "the unrepresentable multitude can be represented only through the guards that monitor its obedience and the doctors who treat it". A dissolved multitude, not the people, is present in the city (ibid., 37; 40).

As a background for the idea in the frontispiece that the person of the sovereign is composed of several small persons, Agamben suggests that the idea could have its origin in an optical device that was fashionable in Hobbes's time. This device broke an image into several smaller images, which could influence thinking about representation on a larger scale than just images (Agamben 2015a, 29–34, see also Agamben 2004, 26):

> The unification of the multitude of citizens in a single person is something like a perspectival illusion; political representation is only an optical representation. (Agamben 2015a, 33)

Agamben makes a theological connection with the head of the sovereign and Christ. In the *Letters of Paul* in the Bible there is the idea that Christ is the head of the assembly of the faithful, which reflects the arrangement of the frontispiece, which "seems to imply that the Leviathan is literally the 'head' of a body political that is formed by the people of the subjects, which, as we have seen, has no body of its own, but exists only in the body of the sovereign". Thus, the image of the Leviathan and his subjects can be seen as a profane counterpart of the relation between Christ and the Church (*ekklesia*) (Agamben 2015a, 48–49). I will briefly return to Agamben's theological and eschatological interpretation of Hobbes in subchapter 2.3.2.

Some visual ideas by Skinner and Agamben above do not seem that different from each other: for example, the idea that the triangular shape that can be found in the picture stands for England could also be presented by Agamben, in my opinion, and the analysis about the fashionable optical device of the time could well be Skinner's observation. Agamben's focus is more on what is absent than what is presented in the picture, such as the

absence of the multitude that is necessary for the state to come into being. From a theological point of view, Skinner's and Agamben's observations differ from each other. Skinner points out that unlike other similar frontispieces in Hobbes's time, this one does not allude to a transcendental power, although a shape reminding us of the Holy Trinity as an analogue of the division between the natural person, the artificial person and the state can be found in the picture, whereas Agamben sees in it a profane version of the relation between Christ and the Church.

2.3 HOBBES'S STATE OF NATURE AND THE ESCHATOLOGY OF *LEVIATHAN*

I will now present how Agamben interprets Hobbes's central concept of the state of nature, then his idea of civil war compared with the Ancient Greek idea, and finally civil war in our own time. Agamben contrasts Hobbes's abhorrence of civil war with the idea of the Ancient Greeks, who saw participation in civil war as a certain kind of duty. He comes back to our own time and claims that civil war is an ineliminable part of the political system of the West.

Agamben contrasts Hobbes with the Sophistic view which favours nature instead of *nomos* (order and law). Agamben emphasizes that for Hobbes, the opposition between the state of nature and the commonwealth is the ground for his conception of sovereignty. The state of nature and violence justifies the absolute power of the sovereign but at the same time, the state of nature is preserved in the person of the sovereign (Agamben 1998, 35, 106–107). De la Durantaye notices a similar pattern in Agamben's thinking in different fields: in the same way that the sovereign is a part and is independent of the order which he establishes, in *The Coming Community*, the *example* is at the same time a part and independent of that of which it exemplifies (de la Durantaye 2009, 212, for more patterns of similarity in Agamben's thought, see Prozorov 2014, 145). The state of nature for Hobbes was not a real historical time but rather a virtual idea of a state "as if it were dissolved". Agamben notes that a virtually dissolved state is actually the state of exception in the meaning that Carl Schmitt has defined it, rather than the state of nature. The state of nature is not a prejuridical condition (Agamben 1998, 36–37, 105–106, 109). Agamben writes: "[S]overeign power is this very impossibility of distinguishing between outside and inside, nature

and exception, *physis* and *nomos*", (Agamben 1998, 37, see also Agamben 2005b, 104–106) and: "The foundation is thus not an event achieved once and for all but is continually operative in the civil state in the form of the sovereign decision" (Agamben 1998, 109).

2.3.1 Agamben on Civil War and Violence

In *Stasis* Agamben approaches the problematic of civil war from two angles: from the Ancient Greek attitude towards civil war and from Thomas Hobbes's thought. The Ancient Greeks saw civil war as a necessary, integral part of the political life, whereas Hobbes wanted to eradicate civil war (Agamben 2015a, 3, 6). Agamben proposes that civil war in Ancient Greece "constitutes a zone of indifference between the unpolitical space of the family and the political space of the city" thus politicizing the household and depoliticizing the city. He draws attention to Solon's law, which is often ignored by modern historians. The law punishes with the loss of civil rights those citizens who have not fought for either of the two sides in a civil war. Being a citizen meant acting politically, and the civil war is, in Schmittian terms, the extreme degree of dissociation and therefore of politicization. In Ancient Greece, it was prohibited to stay neutral in the civil war and secondly, it was prohibited to remember the war once it was over, or more specifically, it was advised "not to make bad use of memory" (ibid., 12–13, 15–16). These two prohibitions brought up by Agamben seem to be the exact opposite of how civil war is treated in modern societies: we do not want anyone participating in a civil war in the first place, and when such a war occurs, there are trials and commemorations of the war and the duty not to forget ("never again"). This is what Agamben himself also notes (ibid., 16). Agamben, however, following Carl Schmitt, claims that civil war is an "ineliminable part of the political system of the West" (ibid., 15), and thus points out a contradiction in the West between the violent political reality and the ideal of non-political non-violence.

Agamben summarizes the role of civil war, *stasis*, in the process of politicization:

"Just as in the state of exception, *zoe*, natural life, is included in the juridical-political order through its exclusion, so analogously the *oikos* is politicised and included in the *polis* through the *stasis*" (ibid., 16). For Agamben, "global terrorism is the form that civil war acquires when life as such becomes the stakes of politics", in a situation where *polis* appears as an *oikos*, such as in the "Common European Home", where bare life is the

only possibility of politicizing life (ibid., 18). In *Stasis*, Agamben regards civil war from a distance, examining the Ancient Greek conception of civil war, although he has also written about the global civil war in *State of Exception* (2005), which I will discuss in subchapter 2.4.4.

2.3.2 The Eschatology of *Leviathan*

In the same book, *Stasis*, where Agamben analyses the frontispiece of *Leviathan* and the Ancient Greek conception of civil war, he also examines the eschatological perspective of Leviathan. I include a mention of this rather unfamiliar theological aspect of Agamben's analysis of Hobbes on the basis of Prozorov's idea that Agamben's political thought is inseparable from his theological thought (see, for example, Prozorov 2014, 5). Whyte and de la Durantaye have also raised theology as an important part of Agamben's political thinking (see subchapters 2.1.2 and 2.1.7). Agamben has been interested for a long time in the idea of the end of history, especially through Alexandre Kojève's work. Prozorov links Agamben's interest in the end of history with the end of the state and all that for Agamben is connected with it: "thinking the end of history and the end of state together is equivalent to the affirmation of the real state of exception, a post-statist politics of the integral form-of-life in the community of whatever being" (Prozorov 2014, 129).

In the Jewish Biblical and Talmudic tradition, fighting against Leviathan was a part of both the beginning and the end of the present cosmic order (in Psalm 74:12–14, God kills Leviathan during the formation of the Earth; in Isaiah 27:1, God slays Leviathan on the day of final judgement). In the Medieval Christian tradition, the figure of Leviathan was associated with the Antichrist. The eschatology has for Hobbes a concrete political meaning (the Kingdom of God descended to earth, meaning the disappearance of the earthly kingdom), and Hobbes's political theology is for Agamben eschatological. For Agamben, "contemporary politics is founded on a secularization of eschatology", referring to Carl Schmitt, who claimed that all political concepts are secularized theological concepts, and to the common use of words such as 'crises' that also have the meaning of the final judgement in Christian eschatology. Agamben wonders at how such an eschatological text as *Leviathan* has become one of the paradigms of the modern theory of the state (Agamben 2015a, 49–54).

Agamben's reading of Hobbes is more esoteric than the traditional view, which emphasizes Hobbes's rationality and the connections of his state theory to empirical natural sciences.

2.4 SOVEREIGNTY, VIOLENCE, AND EXCEPTION IN THE THOUGHT OF HOBBES, SCHMITT AND AGAMBEN

2.4.1 The Sovereign Ends the State of Nature

As is well known, the sovereign for Thomas Hobbes is formed when people decide to give up their freedom in order to escape from the state of nature which represents a danger: individual wills lead to a state of war of everyone against everyone.

In *De Cive* Hobbes writes that not only conflict causes fighting but also simply the absence of agreement. In the state of nature, the will to hurt others – that derives from vainglory – is present in everyone. War and insurrection are caused by everyone desiring the same thing that cannot be shared, and by hatred and jealousy that arise from the competition for honour and dignity (Hobbes 2010, 101–102, 160, Hobbes 1985, 184). In the situation of war, both civil law and natural law are silent. Natural law should be implemented if we want to preserve peace (Hobbes 2010, 158). To overcome the conflict, everyone has to submit his or her individual will to the will of the sovereign, which can be either an assembly or a person (ibid., 161–164, Hobbes 1985, 239).

For Hobbes, the hierarchy of obeying and commanding is strict, and if someone is not included in the scheme, he is automatically an outsider, an enemy: in *De Cive*, Hobbes writes: "[E]veryone is an enemy to everyone whom he neither obeys nor commands" (Hobbes 2018, 108, Hobbes 2010, 210).[11] This view of the enemy differs from Carl Schmitt's idea, where the division between friend and enemy is a deeply political division that is not related to obeying (see subchapter 2.4.3 "Violence and Decision in Schmitt" in this dissertation).[12]

11 Having a common enemy can also make society more durable. Stephen Holmes has argued that the power of a common enemy for Hobbes is so strong that it can even surpass the need for a common superior (Holmes 2011, 116). Holmes defines the Hobbesian 'enemy' as "[a]n arrogant individual whose goals are incompatible with the community's laws supporting public peace", and not simply chosen by the sovereign as an enemy, which is Schmitt's decisionist point (ibid., 126–127).

12 As for the similarities between Hobbes and Schmitt, Johan Tralau has argued that they are both concerned about the problem of war versus order: "Politics is, then, primarily about controlling violence and maintaining order in the face of forces that undermine social cohesion and political authority" (Tralau 2011, 5, 10). Besides policing, a myth is needed for order to prevail, according to an old tradition in political thought, also well known to both Hobbes and Schmitt (ibid., 7–8).

2.4.2 Carl Schmitt and Hobbes's Failed Monster, Leviathan

Carl Schmitt (1888–1985) considerably influenced Agamben's thinking, and he is therefore brought into the discussion in this chapter. Schmitt is known for his conceptualization of the category of the political as making a distinction between friend and enemy. He sees war as the most extreme political means that does not make sense if the distinction between friend and enemy is not "actually present or at least potentially possible" (Schmitt 1996b, 36). Other categories such as religious, moral, economic or ethical are separate from the category of the political unless antagonism in these areas becomes so strong that it is possible to distinguish others within these categories as friends or enemies (e.g. religious communities become political entities) (Schmitt 1996b, 26–27, 35–37). In Schmitt's theory, anyone can be an enemy when the level of antagonism reaches the degree of potentially killing the other.

Schmitt writes that "Hobbes was the first to state precisely that in international law states face one another 'in a state of nature'"[13] and that security exists only in the state. "Everything outside of the state is therefore a 'state of nature'" (Schmitt 1996a, 48). For Hobbes, there are two levels in regard to law: inside the state, law is valid, but on an international level it is not. International law is not law in the same meaning as the laws inside the states. Schmitt underlines Hobbes's decisionism:[14] that for example "miracles cease when the state forbids them" (Schmitt 1996a, 55). Facts are not as important as authority, and law is based on the sovereign's decision (Schmitt 1996a, 48, 53–55). Schmitt defines the sovereign as "he who decides on the exception", and, according to Schmitt, "the decision on the exception is a decision in the true sense of the word" (Schmitt 1985, 5–6).

Schmitt underlines the mythological side of Hobbes's thinking despite all his rationalism:

> The seventeenth and eighteenth centuries were dominated by this idea of the sole sovereign, which is one of the reasons why, in addition to the decisionist cast of his thinking, Hobbes remained personalistic and postulated an ultimate concrete deciding

13 Christov has argued against this rather common view that anarchy on the international level is a Hobbesian idea. According to Christov, it was associated with Hobbes only in the 20th century (Christov 2015, 5, 12–13).

14 Decisionism is a view that emphasizes the decision of the leader: there are no other, more objective criteria for making a decision than the authority of the one who makes the decision.

> instance, and why he also heightened his state, the Leviathan, into an immense person and thus point-blank straight into mythology. This he did despite his nominalism and natural-scientific approach and his reduction of the individual to the atom. For him this was no anthropomorphism – from which he was truly free – but a methodological and systematic postulate of his juristic thinking. (Schmitt 1985, 47)

For Schmitt, Hobbes's use of the metaphor of Leviathan is a failure. It is too mythological in its character to really explain state sovereignty. In *The Leviathan in the State Theory of Thomas Hobbes* (1996a) Schmitt writes about Hobbes's *Leviathan* and emphasizes the biblical and Jewish mythological roots of the figure of the Leviathan. *The Book of Job* presents Leviathan as a "huge water animal, as a crocodile or a whale or in general as an enormous fish" (Schmitt 1996a, 6–7). In mediaeval popular imagination, the figure of Leviathan was connected to eschatological monsters of Jewish mythology and of *The Revelation of Saint John*.

The mission of Leviathan for Hobbes is to bring man out of the chaos of a natural condition (ibid., 11). In the ordered state *homo homini lupus* is replaced by *homo homini deus*; man becomes a god to man instead of a wolf, following the formula by Francis Bacon of Verulam (ibid., 31). Schmitt considers that the image of Leviathan is a failure although Hobbes's political philosophy influenced many, especially in continental Europe: "His concepts informed the law state of the nineteenth century [probably in the form of representation and sovereign right], but his image of the Leviathan remained a myth of horror, and his most vivid characterizations deteriorated into slogans" (ibid., 86).

Schmitt writes about the scientific background of Hobbes's concept of the state:

> The kind of implication that Hobbes was after – one derived from both from mathematics and from natural science – forced him to abstract from all concrete content. By that move, the individual was stripped of its concrete individuality, too; but [...] the whole, Leviathan, becomes the substantial bearer of all right. (Schmitt 2014, 99)

Leo Strauss in his "Notes on the Concept of the Political", which are included in the 1996 English translation of Schmitt's *The Concept of the Political*, interestingly compares Schmitt and Hobbes. He pays attention to Hobbes's and Schmitt's different definitions of the state of nature: for Hobbes everyone is the enemy of everyone else in the state of nature, whereas for Schmitt

there is a clear distinction between *groups* of friends and enemies. Strauss notes that Hobbes is "*the* antipolitical thinker" if we understand politics in Schmittian terms of conflictuality. The state of nature is for Hobbes a political condition, and politics is something that should be got rid of. Strauss writes,"To this negation of the state of nature and of the political, Schmitt opposes the position of the political." Still, for Hobbes the state of nature and the political continue in the relationship between nations. Strauss points out a fundamental difference between Schmitt and Hobbes in their relation to death: for Schmitt, it is the essence of a political group that it can expect its members to be ready to die, whereas for Hobbes, "death is the greatest evil" and therefore no one can be ordered to die. Obedience can only be proportional to this principle (Strauss 1996, 90–92).

In *Dictatorship* Schmitt claims – somewhat contrary to the above discussed Straussian view – that the Hobbesian state is a dictatorship because the sovereign decides about everything, including the opinion of the people. Schmitt suggests that the sovereign decision protects the people from moving towards the state of nature and thus, war:

"The law, which is essentially a command, is based upon a decision related to the public interest; but the public interest only comes into being through the fact that the order has been given. The decision contained in the law is, from a normative perspective, borne out of nothing. It is, by definition, 'dictated'." (Schmitt 2014, 17)

Schmitt's interpretation of Hobbes as a theoretician of dictatorship, emphasizing his decisionism, is very different from the mainstream view, which would rather see Hobbes as an advocate of the rule of law and even a predecessor of liberalism, although this is under discussion.

2.4.3 Violence and Decision in Schmitt

A Finnish scholar specialized in biopolitics, Mika Ojakangas, describes in his book on Schmitt the role of conflict and disorder in Schmitt's theory. He sees that for Schmitt, the "foundation of collective human existence is constituted by *conflict*":

> ... [Schmitt] emphasizes the necessity of tranquility, security and order. However, there is no tranquility, security and order without the recognition that disorder and war are the ever-present possibilities of every order and peace – or better still, that every order is based on and created out of disorder. (Ojakangas 2004, 12)

Ojakangas also emphasizes the role of decision in Schmitt: "The state of exception suspends the normative element of legal order and reveals the element of decision in its 'absolute purity'." The decision is for Schmitt a miracle because it comes out of nothing. Furthermore, the Schmittian decision is separate from the sovereign: the sovereign's person becomes dissolved and he/she is just the "name for the taking place of the absolute decision". (Ojakangas 2004, 40–41, 53.) I interpret this so that it does not really matter who is taking the decision as long as he or she can be named from the moment the decision is taken. The decision is more important than the person taking it.

Evidently, the Schmittian concept of the political is violent in its core since it is based on the distinction between friend and enemy and on the real possibility of killing the enemy when the degree of antagonism between the two reaches the level of war. Ojakangas writes: "Killing at war is merely the ultimate *borderline* of politics, the extreme case. Just like the state of exception, war is a borderline concept (*Grenzbegriff*), which belongs to the sphere of the political, but is not included in it" (Ojakangas 2004, 71–72). However, "war is not the aim or the purpose or even the content of politics for Schmitt. [....] It is the concrete regulative principle of politics – the constitutive extreme case, 'the most extreme possibility', which determines the rule" (Ibid., 72).

One of the points where violence is present for Schmitt, is the use of the concept of humanity as the justification for waging war. Schmitt writes: "Humanity as such cannot wage war because it has no enemy, at least not on this planet. The concept of humanity excludes the concept of the enemy, because the enemy does not cease to be a human being" (Schmitt 1996b, 54). If, however, such wars are fought, and groups of people are labelled as being outside of humanity, wars are especially cruel because the enemy is declared an "outlaw of humanity", a monster which must be destroyed (Ojakangas 2004, 76–77).[15]

15 A Venezuelan scholar Omar Astorga claims in an article that the Hobbesian idea of the state of war was taken up by Schmitt, whom he calls a "coherent and radical Hobbesian". Schmitt sees in war (either civil war or war between states) the ultimate distinction between friend and foe, which is the very essence of the political. Astorga interprets this as Schmitt returning to the Hobbesian anthropology that is concentrated on fear, death and war as the justifications of politics. For both Schmitt and Hobbes, war is a constant possibility more than a historical event, a limit idea from which the political is defined. Schmitt observed the types of war that emerged from the displacements of a unitary state, such as guerrilla warfare (Astorga 2008, 45, 51–52). For Hobbes, the unity of the state was the most important thing and a guarantee against violence.

There is a certain violence also in the originary act of founding a political entity and law: for Schmitt it means land-appropriation (*Landnahme*). It is "the original constitutive act which organizes a space" (Schmitt: *Der Nomos der Erde*, 1950/1988, 47, cited in Ojakangas 2004, 117). After the seizure of the land (*nehmen*), it is distributed, divided (*teilen*) and pastured (*weiden*) (Ojakangas 2004, 119–120).

"For Schmitt, *nomos* signifies above all delimitation, setting of boundaries. There is no *nomos* in the sense of a meaningful concrete order without boundaries, without a ring drawn in the soil." (Ojakangas 2004, 121)

Schmitt emphasizes the role of violence in politics, both in the founding of a political entity and in societies.[16] His ideas have influenced Agamben. I will now move on to analyse a certain violent situation, the state of exception in Agamben's perception.

2.4.4 Agamben's State of Exception

Agamben sees exception as the structure of sovereignty, thus distancing his view from that of Schmitt's who saw in sovereignty a juridical category,[17] a power that is external to law. For Agamben, sovereignty is "the originary structure in which law refers to life and includes it in itself by suspending it" (Agamben 1998, 28). He traces the juridical background of exception in Roman law, in a practice called *iustitium*, where law was put aside, and suggests that exception is already everywhere, and the demand to return to the normal is absurd. Instead, Agamben wants to institute a new post-sovereign epoch.

In *State of Exception*, Agamben declares that "the voluntary creation of a permanent state of exception [...] has become one of the essential practices of contemporary states, including so-called democratic ones" and reminds

16 Holmes notes that Schmitt is not Hobbesian, because he is not advocating peace like Hobbes. Rather, Schmitt associates peace with the unjust Peace Treaty of Versailles (Holmes 2011, 118).

17 Andreas Kalyvas has argued that the juridical dimension of Schmitt's conception of sovereignty is overly emphasized, "setting it apart from the broader symbolic, social, and economic context of modern, liberal-capitalist societies" (Kalyvas 2008, 86–87). Schmitt intended to redefine constitutionalism, which could contribute to an alternative constitutional theory, transcending liberalism and promoting democratic regimes (ibid., 129). Kalyvas notes that for Schmitt, the sovereign constituent subject is also the one who creates the normal situation, not only the exception (ibid., 134), and that when Schmitt writes about sovereignty, he has in mind the constituent power of the people (ibid., 155).

us that the modern state of exception has its background in the democratic-revolutionary tradition dating from 1791, not in the absolutist tradition (Agamben 2005a, 2, 5, 11–12). He sees the state of exception as an uncertain condition, as a "threshold of indeterminacy between democracy and absolutism" and "a threshold of undecidability between anomie and *nomos*, between life and law, between *auctoritas* and *potestas*", where the juridical order itself is suspended. One of his examples of the state of exception is the post-9/11 military order in the United States, and this is also an important context for the book, which was originally published in 2003 (ibid., 3–4, 86). We have a more recent example from France in November 2015, where the article allowing extraordinary powers to the president formerly used by General De Gaulle during the Algerian war in 1961 was implemented after the terror attacks in Paris. Agamben claims that in Western democracies "the declaration of the state of exception has gradually been replaced by an unprecedented generalization of the paradigm of security as the normal technique of government" and that President Bush, by declaring himself the "Commander in Chief of the Army" after 9/11 attempted to "produce a situation in which the emergency becomes the rule, and the very distinction between peace and war (and between foreign and civil war) becomes impossible" (ibid., 14, 22). The modern state of exception is a zone of indifference that is neither external nor internal to the juridical order. It is not clear whether it is based on the *fact* of having an actual state of exception or on *law*, on a juridical norm (ibid., 23, 26, 29). The sovereign according to Schmitt decides on the state of exception, and the sovereign thus both belongs to the juridical order and is outside of it (ibid., 35).

Agamben describes a practice called *iustitium* from Roman law: in the most extreme situations, the law was put aside. It can be seen as the forerunner of the state of exception and of the Machiavellian advice to break the order to save it. He concludes that the state of exception is "not a dictatorship" […] "but a space devoid of law" and condemns theories such as Schmitt's that claim that the state of exception is within legal order (Agamben 2005a, 41, 46, 50–51).

However, some similarities can be found in Agamben's and Schmitt's positions on the state of exception. Sergei Prozorov writes in his book on Agamben:

> [S]imilarly to Schmitt, Agamben does not interpret exceptional measures as an unfortunate remnant of or relapse into authoritarian rule in modern democracies,

> but rather as a constitutive principle that sustains these democracies themselves. Contrary to the critics of the U.S. government after 9/11 who demanded the return to normal, domestic- or international-law-based instruments of policy, Agamben argued that the hope of any such 'return' is illusory, since the normal is constituted and sustained by the exception which remains at work within it. (Prozorov 2014, 101)

For Agamben, the state of exception is already everywhere, so the demand for a return to the normal after the time of anti-terrorism laws or any other exceptional situation is absurd.

Prozorov cites Agamben's book *The Time that Remains* to explain what it means that for Agamben, in the state of exception the law remains in force without significance: 1) there is no longer any outside of the law since the law is auto-suspended, 2) it is impossible to distinguish between observance and transgression of the law, and 3) law is no longer accessible in terms of a prescription or a prohibition (Prozorov 2014, 102).

The approaches of Hobbes and Agamben to the state of nature differ from each other:

> [W]hat Hobbes did is consciously produce a *fiction*, whose only semblance to reality is uncannily provided by the exceptional moments of the dissolution of the social order or the dangers that persist even in the ordered Commonwealth. [...] Hobbes turns *reality into fiction*, i.e. transforms the reality of the state of exception into a fiction of the state of nature, in which the sovereign violence that characterizes the state of exception is cast as a ubiquitous feature of relations between human beings. (Prozorov 2014, 105)

Agamben, instead, wants to "restore the state of nature to its status of the product of sovereign power" (ibid.). Briefly, Hobbes produces a fiction of the state of nature that would have existed before the state was formed, and Agamben wants to show that the state of nature is not natural but a product of sovereign power.

William Rasch notes that the difference between Hobbes and Agamben lies in that what for Hobbes is a prepolitical state of nature is for Agamben *the* political. "The state from which Hobbes's sovereign rescues us is the state into which Agamben's sovereign plunges us" (Rasch 2007, 101).

Hobbes and Agamben have differing views of the political. For Hobbes, the political comes into existence after the institution of the state, whereas for Agamben, it already exists before that, and there is no clear limit be-

tween the institution of the state and the time that precedes it. Agamben does not see the Hobbesian state of nature as a starting point for creating order: "There are not *first* life as a natural biological given and anomie as the state of nature, and *then* their implication in law through the state of exception" (Agamben 2005a, 87). Instead, Agamben suggests that the state of nature is not external to *nomos* [order] but contains its virtuality. The true centre of the political system is the law of nature and the principle of the preservation of one's life (Agamben 1998, 35–36). In the wars of the former Yugoslavia Agamben did not see a return to the state of nature but a "coming to light of the state of exception as the permanent structure of juridico-political de-localization and dis-location" (ibid., 38).[18]

Agamben describes the biopolitical turn where "the sovereign is entering into an ever more intimate symbiosis not only with the jurist but also with the doctor, the scientist, the expert, and the priest" (Agamben 1998, 122). This seems to be a change compared to the Hobbesian sovereign, who ruled more on the basis of authority given by the subjects than on the basis of law, science, expertise or religion. Hobbes was interested in natural science, but the Hobbesian sovereign did not yet use statistics to govern his or her people, as in biopolitics. Agamben, however, finds in the metaphor of Leviathan a symbol for the contemporary world: "The absolute capacity of the subjects' bodies to be killed forms the new political body of the west" (ibid., 125).

Agamben – together with Walter Benjamin – wishes to call into question the very structure of sovereignty and "institute a new post-sovereign, post-rule-of-law, historical epoch", whereas Schmitt is not interested in this kind of project (Rasch 2007, 99). Agamben calls this phase "the real state of exception" that is radically distanced from the law and from the sovereign (Prozorov 2014, 115–116). This phase is reached through what Benjamin and Agamben call *divine violence*, different from law-preserving and law-establishing violence, which they call *mythic violence*, referring to the myth of law (Prozorov 2014, 116, 119–120, Rasch 2007, 98). "Divine violence [...] comes as if from the outside to limit the space of the political, indeed, to mark that space for demolition" (Rasch 2007, 98). De la Durantaye has also observed that the state of exception is not necessarily negative for Agamben. De la Durantaye

18 Mary Kaldor has examined the change in warfare in her *New and Old Wars* (Kaldor 2012). We are moving from inter-state wars towards more complicated conflicts and the financing of war by criminal actions. Agamben's and Hobbes's differences of approach to the state of nature seem to reflect this actual change in warfare.

cites Arne de Boever, who notes that sometimes the state of exception – the Benjaminian *real* state of exception – seems like a desirable option instead of the current, "catastrophic" process towards a planetary state of exception (de la Durantaye 2009, 344–346). I argue that Hobbes proposed sovereign power to overcome the violence and war of the state of nature, and divine violence is Benjamin's and Agamben's idea of how to surpass sovereignty.

Rasch interestingly proposes that the figure of the sovereign is for "democratically inclined" liberals too uncomfortable and it is therefore replaced by the rule of law (Rasch 2007, 94). He continues: "In its most basic form, the rule of law, as opposed to the rule of men, allegedly supplants the naked and arbitrary force of a wilful sovereign power or majority mob." The subject of this law is humanity – an extension of the Christian community or the holders of universal human rights. Decisions (in the Schmittian sense) are replaced by norms: "Under the law, there will be no exception, just rule" (ibid., 95–96). Under this rule, a paradoxical question may be asked: "What or which sovereign power determines that there will be no sovereign power?" (ibid., 96). This is in my opinion an excellent question and shows that the alternatives to sovereign power are arguably not that easy to find.

2.4.5 Homo Sacer and Violence

The Agambenian figure of *homo sacer* is a target for violence because he is excluded from his community and reduced to the stage of bare life, barely maintaining bodily functions, in contrast to *bios*, which is a particular way of life of an individual or a group (Agamben 1998, 1). The figure originates from Ancient Rome, where it was someone banned from society, and takes on its most extreme form in the concentration camps of Nazi Germany, where *homo sacer* is a prisoner who is barely alive, a *Muselmann*. Agamben writes that "[t]here is no return from the camps to classical politics" because our biological body and our political body have become indistinguishable (ibid., 188). Homo sacer and the concentration camp are for Agamben examples of a state of exception, where the rule of law is suspended (de la Durantaye 2009, 228). A similar position of bare life could be seen in the life of refugees who flee war and devastation, arriving at a situation where the border in front of them remains closed and there is practically no place for them to go (see also Agamben 1998, 131, Prozorov 2014, 108). For Agamben, however, we are all virtually *homines sacri* because of the structure of sovereign power (Agamben 1998, 111).

2.5 CONCLUSION

The main themes Agamben approaches in Hobbes's work are sovereignty, violence and exception. They are all related to the state of nature as a state of war, which Agamben believes to be a fiction. He wishes to overcome the sovereign order through the Benjaminian real state of exception. Agamben also notices the religious aspect in Hobbes's work and believes Hobbes's political theory is eschatological, meaning that it deals with the end of time.

2.5.1 Schmitt and Agamben

Schmitt's attitude towards the state of exception seems rather welcoming, whereas Agamben is critical towards the exception that undermines democratic rights and spreads even in the democratic states. On a more fundamental level, he seeks to overcome the sovereign logic of exception altogether by basing his arguments partly on Schmitt – who is not searching to overcome sovereignty – and more directly on Benjamin.

Violence is for Agamben found especially in exception as a contrast to a 'normal' state, where the rights of citizens would be guaranteed, but he does not believe in the existence of the 'normal'. The exception is for him rather something that confirms the rule and quickly becomes the new norm. For Schmitt, both the constituting act of founding a political entity and the sovereign decision are necessarily violent, and both of these are connected to exception: founding is based on a state of exception, and the sovereign, moreover, is defined as the one who decides on the state of exception.

2.5.2 Hobbes and Agamben

Agamben reverses Hobbes's idea of the sovereign ending the war of the state of nature. Instead, Agamben suggests we live in a war-like state of exception that is the product of sovereign power. Agamben approaches the Hobbesian themes of sovereignty and of the state of exception from the perspectives often provided by either Schmitt or Benjamin, who had very different political backgrounds, the former being close to the National Socialist Party of Nazi Germany, and the latter a Marxist. Agamben takes ideas from both of them but fuses them into his own, very particular post-sovereign political thinking, where the ideas of a global state of war and of the sovereign paradigm that should be overcome are essential. The ways to overcome this

troubled situation are found in inoperativity: instead of perfecting the legal system, as a liberal would advise, or changing the political institutions, as a revolutionary or a reformist would urge they should be rendered inoperative (Prozorov 2014, 177–178). At first sight, this seems like an outsider's position in politics – staying away from the political struggles and debates and instead aiming for a happy life – but on the other hand, thinkers of radical politics (e.g. McLoughlin 2016) have also found interest in his thought, so labelling Agamben as a non-political thinker would clearly be a mistake. Agamben's alternatives are not very clearly formulated but instead are left mysterious and open. He has written that a new, different situation would be like the current one, "just a little different" (Agamben 1993, 57). Agamben presents exile as a constitutive political principle in *The Highest Poverty*. Monastic exile from the world could be the foundation of a new community and a new public sphere (Agamben 2013, 50).

I will next present Roberto Esposito's views on Hobbes and Hobbesian themes.

3. Roberto Esposito and the Escape from the Hobbesian State

Abstract

War is at the centre of Esposito's reading of Hobbes, because of the war-like state of nature and its complete denial by Esposito. Esposito examines and opposes fear and violence in Hobbes's theory, where the legitimation of the use of violence is circularly found in the threat of violence. The literature on Esposito so far has been both practically and theoretically orientated. My contribution to the discussion is theoretical and related to the history of political thought, namely finding references to Thomas Hobbes in Esposito's texts, especially in relation to the state of nature and war, and analysing how they reflect Esposito's political theory, which is critical towards state sovereignty.

For Thomas Hobbes, fear of death is what makes people give up their freedom. Men have in common the capacity to be killed. In order to save themselves in a war of everyone against everyone, they give authority to the sovereign. Contemporary Italian biopolitical theorists, including Esposito, disapprove of this scheme of forming the state on fear. Roberto Esposito points out that the horizontal relation between people is sacrificed when preference is given to the vertical relation between the sovereign and his subjects. Both sovereignty through acquisition and sovereignty by institution are based on fear: either fear of the others or fear of the sovereign. To escape the state of fear, people move to the fear of the state by giving power to the sovereign. For Esposito, this submission is a sacrifice: life is sacrificed in order to be preserved. This forms a spiral: sacrifice is an answer to fear, sacrifice causes fear, and so on.

Esposito presents *body* as a metaphor for the state and *flesh* as a metaphor for the state of nature and for the globalized world. We should find alternatives such as flesh for the Hobbesian immunized body-state.

Esposito calls the isolation of people from each other *immunization*. In excessive forms, it can lead to similar problems in societies as autoimmune diseases in human bodies, where the body defends itself against an external threat to a point where the defensive cells begin to attack the body itself. The revival of the idea of the common good is Esposito's answer to immunization.

In this chapter, I will analyse the themes of war, nature, power and community in Roberto Esposito's reading of Thomas Hobbes. I argue that Esposito denies the reality of Hobbes's state of nature as a state of war. He sees the state of nature as a fiction that legitimates the breaking of the community which, for Esposito, is based on the mutual exchange of gifts. Hobbes replaces community with a covenant and institutions. I follow Schwartz-Shea's and Yanow's idea of puzzles emerging from the field which, in this case, is Esposito's writings concerning Hobbes and Hobbesian ideas (Schwartz-Shea & Yanow 2012, 27–28, 38, see subchapter 1.2 in this dissertation). My approach is related to the history of political thought: finding references to Thomas Hobbes in Esposito's texts and analysing how they reflect Esposito's political theory, which is critical towards state sovereignty. War, nature and power are present in Hobbes's idea of the state of nature as a state of war, which is ended by sovereign power. Community is Esposito's alternative to sovereign power, and he claims that giving power to the Hobbesian sovereign destroys community and does not end a war-like situation in the way Hobbes explains it should. Esposito contemplates Thomas Hobbes's ideas in his writings on politics, mostly contesting them. Besides Esposito's analysis of war in the Hobbesian state of nature, war is also examined in Esposito's texts as a metaphor in the descriptions about the body's immune system. This is noteworthy because Esposito analyses the idea of immunity moving from the body level to the level of communities and states. He is critical of both war-like descriptions of immunity and of the Hobbesian state based on the threat of civil war. I will come back to this dual critique of war-like immunity in subchapter 3.4.1.

I will approach the themes of war, nature, power and community from two perspectives: from the point of view of fear and of violence. Before doing this, I will present and discuss some commentaries on Esposito's work.

3.1 COMMENTARIES ON ROBERTO ESPOSITO'S WORK

So far, there are at least three books and numerous articles written on Esposito or based on his political theory. The books include Peter Langford's *Roberto Esposito: Law, Community and the Political* (2015), Alexej Ulbricht's *Multicultural Immunization: Liberalism and Esposito* (2015) and Jaakko Ailio's *Theory of Biopolitics and the Global Response to HIV/*

AIDS: From Critique to Affirmation (2017). Esposito's theory is also widely discussed in Greg Bird's *Containing Community: From Political Economy to Ontology in Agamben, Esposito, and Nancy* (2016). The articles are so many that it is not possible to go through them all in this context, but I have chosen some examples which look at Esposito from different angles.

3.1.1 Ailio

Jaakko Ailio has used Esposito's theory along with Agamben's and Foucault's, and the biopolitical approach in general, in discussing global HIV/AIDS governance. He also uses Esposito's notion of immunity in its biomedical meaning in addition to its meaning in political theory and combines these two approaches in a way Esposito himself has not done in the question of HIV/AIDS (Ailio 2017, 42). Ailio mentions Élie Metchnikoff, who developed the notion of immunity in biomedicine, and who, interestingly, referred to Thomas Hobbes's idea of self-defence as the first "Right of Nature", bringing the concept more towards individualistic self-defence and self-preservation instead of a previous, more collective meaning about conflicting political and legal measures (Ailio 2017, 33–34). Ailio brings up Esposito's analysis in *Bíos* of Hobbes's emphasis on rights being tied to the personified human life instead of living matter (ibid., 39). He examines how Esposito views Hobbes's separation of the person and the body:

> As Esposito has elaborated, for Hobbes it is the destructive ensemble of bodily needs, impulses and drives which create a demand for an institution – namely, sovereignty – that polices these corporeal excesses and thus guarantees the right to life to those it represents instead of the endless war of all against all. In this way, sovereignty grounds itself on an artificial extracorporeal core, which it separates from the bodily dimension. It separates the moral and rational part, which gives legitimacy to the institution and which the institution represents, from the "life understood in its materiality, in its immediate physical intensity" (Esposito 2008, 58). In other words, the whole institution and the protection of life it ensures is based on the separation and protection of the person from the body unleashed. (Ailio 2017, 39)

I will approach these thematics of the body and the person in subchapters 3.4.1 and 3.4.4 of this dissertation.

Ailio's doctoral thesis shows the many aspects that Esposito's theory of affirmative biopolitics and immunization can have in concrete use, such as

understanding the HIV/AIDS governance in relation to liberal immunitary biopolitics. He notices a similarity in the structures of the disease and the political response to it: "[I]t seems that the dynamics of the HIV/AIDS pandemic in the globally marginalized locations are the same for the liberal immunitary biopolitics as the HIV virus itself is for the immune system. […] In both cases, immunity is unable to fully protect life" (ibid., 46). The liberal response to HIV/AIDS is ineffective because its ethos cannot be realized in the marginal locations of the world, for example when the intellectual property rights of pharmaceutical companies prevent the manufacture and distribution of cheaper generic drugs in these areas (ibid., 196, 199). Ailio notices a certain impasse in the discussions concerning community, from Blanchot and Nancy to Agamben: "The almost unbridgeable opposition between the state and community, the nearly total schism between identity and difference, the practically absolute contrast between the imposition of our lives within artefactual borders and the full unrestrained affirmation of life. This is the direction towards which this discourse is then heading." Ailio observes that Esposito has criticized Nancy for ignoring what we share. For Esposito, we share the fact that we have nothing in common (ibid., 59), although he is moving more towards an idea of life-in-common (ibid., 61). Ailio writes that Esposito paraphrases the Hobbesian narrative in describing how destructive selfish needs create a demand for an institution and sovereignty that should pacify the chaotic situation. Yet, the pacification only happens if the rational and moral part wins over the "body unleashed" in a dichotomy of the different sides of man. Diseases like HIV destroy the sovereign's possibility to protect the subjects, and the bodily side takes over (ibid., 181). Ailio reaches the conclusion that affirmative biopolitics should transform institutions and practices instead of being anti-institutional (ibid., 200).

In regard to my argument of Esposito believing, contrary to Hobbes, that we live in a state of nature which is a state of war, Ailio emphasizes the role of the body in the pacification process: pacification succeeds if the rational and moral part triumphs over the body. In this sense, Ailio sees some similarities between Hobbes and Esposito. A disease like HIV hinders pacification, because the sovereign is unable to protect his subjects.

3.1.2 Ulbricht

Another example of practical application of Esposito's theory of immunization is in Alexej Ulbricht's book *Multicultural Immunization*, where he

shows that the liberal, multicultural and tolerant immigration and minority policy of the UK is in reality inscribed with hostility towards minorities and otherness. At the same time, a discourse of a tolerant and diverse country prevails. Ulbricht understands liberal multiculturalism as a process of immunization where liberalism is immunized against the threat of the other. What seems as a backlash against liberal multiculturalism is in fact inherent in it. Ulbricht also notes that liberal theories of multiculturalism are not multicultural but mostly Western European and American. He sees as particularly useful Esposito's idea of an immunization where hostility and incorporation are part of the same operation. Esposito's Italian background is, according to Ulbricht, significant because of Italy's position on the frontier between Europe and the Mediterranean (Ulbricht 2015, 1–2, 13–16, 18, 28, Esposito 2006, 49).

Ulbricht's argument is remotely related to mine, in the sense that immunization in all its forms is part of the Hobbesian scheme that Esposito criticizes. I will come back to immunization in subchapter 3.4.

3.1.3 Langford

Peter Langford offers a legal-theoretically emphasized reading of Esposito in his *Roberto Esposito: Law, Community and the Political*, touching also on Esposito's reading of Hobbes. He concentrates on Esposito's books starting from an early work, *The Categories of the Impolitical* (2015/1999) until *Bíos* (2008/2004), looking for the place of the law in Esposito's theory. He notes that for Esposito, the political and law are both immunitary and that the separation of the political from politics is articulated in Hobbes's political philosophy, and especially in *Leviathan*, which Esposito sees as a marking point between two regimes of political representation: the representation-image and the representation-mandate. He describes how the social contract in *Leviathan* "marks the passage to the internal differentiation of the community into the sovereign and the individuals subject to the sovereign's authority". This representation-mandate is a new regime of representation (Langford 2015, 8, 13–15).

Langford describes how in Esposito's *Communitas* the experience of a common non-belonging detaches the common from the modern and contemporary social and political theory. Finally, it reaches for the outside of the community: "[T]he common, as the *munus* within *communitas*, is the openness or exposure of the community to alterity" (ibid., 70). Langford

emphasizes the role of transformation in the Espositoan reading of Hobbes: "The origin of modern political philosophy, in Hobbes, is the transformation of the relationship between death and community into the fundamental question of human coexistence." The notions of the political, community and law are Hobbes's answers of the modern political philosophy to this question (ibid., 72).

Langford mentions different aspects of war, both concrete cases of the Cold War and the 'war on terror' and an identification of war and peace in Esposito's analysis of the current situation:

> For Esposito, the collapse of National Socialism, as a political regime, marks the continued presence and extension of the auto-immunitary or thanatological potential of the immunitary paradigm beyond its configuration in the specific political form of National Socialism. The collapse of the USSR and its allied regimes in the Warsaw Pact, and the emergence of the 'war on terror', enables the expansion of the auto-immunitary paradigm, and the generation of a politics over life which is essentially negative: 'an absolute identification of opposites: between peace and war, defence and attack, and life and death, they consume themselves without any differential remainder'. (Langford 2015, 196, with a reference to Esposito 2008, 148 for the quote.)

In my own analysis, I will continue to examine the identification of peace and war, which I interpret to mean that in some sense Esposito, like Agamben and Negri, believes we live in a permanent situation of war. This is also related to Langford's observation of how Esposito's idea of a common non-belonging is detached from modern and contemporary political theory, including Hobbes's political theory.

3.1.4 Tierney

In "Roberto Esposito's 'Affirmative Biopolitics' and the Gift" Thomas F. Tierney examines in the nature of the gift in Esposito in comparison with other approaches to gifts. He raises to the fore the gratuity of the gift for Esposito in comparison with the approaches of such commentators as Marcel Mauss's and his followers, which deem the character of exchange as essential to the gift. He also suggests that in fact Esposito's "*munus* lies somewhere between the free gift and the *potlatch*", where there is the expectation of an always bigger gift in return. What individuals owe to the community are their identities, Tierney writes (Tierney 2016, 57–58, 60). It seems to

me that Esposito would be against this interpretation of the *munus* tied to identities since he attempts to find an idea of a community which would be free of identities as a property, a property-less community (e.g. Esposito 2013a, 45–46). Tierney writes that Hobbes lies at the centre of Esposito's analysis of the modern immunization paradigm, identified in each book of the trilogy *Communitas*, *Immunitas*, *Bíos* as a seminal figure. Esposito differentiates a free gift from the contract in Hobbes: a contract is made in consideration of mutual benefit. Tierney claims that Esposito's idea that subjects cannot resist the Hobbesian sovereign is a step too far, though he generally agrees with Esposito's interpretation of Hobbes. A covenant that breaks with the right to self-defence cannot be valid for Hobbes (Tierney 2016, 61–64). I think Esposito's reading of Hobbes is nevertheless coherent when we think of Hobbes's resistance to anything that could break the sovereign order, such as associations or religious communities.

With regard to the argument that Esposito claims we live in a state of nature, the essential part of Tierney's article is his division between the Hobbesian contract and the Espositoan gift. This reflects the sharp contrast between the two: a contract is needed in a society which can no longer function on gift-giving, but for Esposito, this society, based ultimately on the fear of death (ibid., 61), is a war-like situation.

3.1.5 Serafini

Luca Serafini in a review of Esposito's *Persons and Things*, "Beyond the Person: Roberto Esposito and the Body as 'Common Good'", goes through the connections between Esposito's thinking of the impersonal and of the body, its links to his political theory and questions opened by new biotechnologies. He expresses very clearly the dichotomy between the impersonal and the person and Esposito's preference for the impersonal: "the impersonal is strictly connected with the notions of the public and the common, just as the person is related to the notions of the private and property" (Serafini 2017, 219). Serafini sees Esposito as in favour of transindividuality, which starts with Nietzsche's idea that humankind can change itself. The body is always open to mutation, and it can be seen as a public thing and a common good. This includes being in favour of genetic techniques such as allowing a baby to have genome from three parents instead of two. Finally, Esposito identifies both the notion of the community and the gift with the body (Serafini 2017, 224–227).

Serafini's review is less connected with the idea of the state of nature as a state of war and more with Esposito's alternatives to it, especially the idea of the common and the common good, to which I will return in subchapter 3.4.5.

3.1.6 Bird

Greg Bird examines Esposito's concept of *communitas* in *Containing Community: From Political Economy to Ontology in Agamben, Esposito, and Nancy* (2016). Bird notices a difference between Jean-Luc Nancy and Esposito: Nancy focuses on the *cum* (being-with) and Esposito on the *munus* (gift) in their writings, which otherwise have many similarities (Bird 2016, 155). Bird also approaches the Hobbesian questions in Esposito's *Communitas*. He describes how, for Esposito, the modern immunitary paradigm began with Hobbes who "used the social contract to institute a border between 'the originary dimension of common living' and the modern 'juridically 'privatistic' and logically 'privative' figure of the contract". Hobbes leaves us the choice of remaining in a state of terror or moving from there to a productive model based on fear. Bird writes: "By transposing 'originary' and 'uncertain' fear into 'artificial' and 'certain' fear, Hobbes essentially cut us off from our relationships with each other" (Ibid., 157). Esposito is critical of remuneration altogether, but remuneration for public duties remains an open question. Bird examines how public duties were suggested to be remunerated in the history of political philosophy (Ibid., 158). In altruism, Esposito notes a form of the Hobbesian paradigm of sacrifice, although it is traditionally thought to mean a gesture without remuneration (Bird 2016, 165).

In regard to my argument of Esposito believing we live in a state of nature, Bird also emphasizes how Esposito sees Hobbes as a thinker of immunization, cutting off people's relation to each other.

3.1.7 Prozorov

Sergei Prozorov analyses Agamben's and Esposito's relation to Hobbes, emphasizing Hobbes's nihilism. He finds that both see Hobbes negating community and writes that for Esposito, "Hobbes's commonwealth is legitimized by a prior negation of the originary human community in the construction of the state of nature as the state of war". In other words, Hobbes negates the community by constructing the state of nature as the

state of war in order to institute the commonwealth. The state of war in Hobbes's theory is the equal capacity to kill in the state of nature, and the sovereign as a Third to which everyone has to relate to is needed to stop this situation of war (Prozorov 2015, 50–52, 54). Negation is also present in one of Esposito's main concepts, that of the gift: what is shared in the gift is "expropriation, lack and disidentification" (ibid., 53), and in the Hobbesian scheme the institution of sovereignty negates the state of nature (ibid., 55).

Prozorov mentions Esposito's analysis of the "animalization" of humans in the state of exception and in concentration camps, to which "the notion of becoming-animal appears to be a surprising solution" that Esposito proposes. Animalization for Esposito paradoxically saves us from problematical animalization. Esposito refers to Deleuze for whom "becoming-animal" is not a negative notion but rather something that is in our intimate nature (Prozorov 2014, 171).

Hobbes's nihilism (such as negating community to construct a state of war), emphasized in Prozorov's reading of Esposito, is strongly related to my argument of Esposito seeing the current situation as a state of war. The animalization of humans in the state of exception is an important aspect in the idea of exception as a state of nature.

3.1.8 de Bloois

In a conference paper, "Esposito's Europe: Biopolitics, Populism, Democracy", Joost de Bloois discusses Esposito's "political-theological dispositif" in relation to contemporary European far-right populist discourse (de Bloois 2019). The far-right ideology of closing borders is closely connected with Esposito's account of immunization. De Bloois believes that Esposito offers an effective conceptual instrument with which to "dissect contemporary populist rhetoric", although he also notes that Esposito rarely uses the term "populism". Esposito sees both totalitarianism and liberal democracy as a part of the biopolitical paradigm. Populist claims for restoration and return to national grandeur and to autonomy can be seen as "displacements within the biopolitical frame" from a biopolitics of the individual to the biopolitics of the state. In the biopolitics of the state, the state reclaims the bodies of its citizens (de Bloois 2019, 1–3). The body is neither exclusively subject nor object (see also subchapter 3.4.4 in this dissertation). De Bloois finds a reflection of this in populist politics: "In populist politics, this translates into the state continually granting or denying personhood, turning bodies back into their

status as things by excluding them from the rule of law, refusing them entry into the territory, by letting them drown at sea" (de Bloois 2019, 4). De Bloois describes the split between person and thing in the political body in Hobbesian terms: "the Leviathan's body remains governed by its head". The split and the shifting margin following from it allows for populist politics to exclude certain factions within the people (ibid., 5). Right-wing populism, according to Esposito, is rooted in the inter-war European period of thinking in terms of crisis. In *A Philosophy for Europe*, Esposito proposes an alternative: "to think 'Europe' outside of the crisis-dispositif: to think Europe beyond origin and sovereignty, but as permanent exchange and deterritorialization, a thinking from 'the outside', from what lies beyond the border" (ibid., 7–9, see also Esposito 2018, 213, where de Bloois refers to). To resume, a new perspective to thinking about Europe through its borders can save us from the right-wing populist view of Europe, namely thought from its centre.

In regard to my argument on the state of war, Esposito's thinking about Europe is more distanced than the themes raised by all previous commentaries discussed in this chapter, but it can be nonetheless said that Europe – as well as some other continent – offers an example of immunitary thinking (in de Bloois's paper, of right-wing populism) colliding with a different approach towards the outside. Right-wing politics is not the only immunitary politics, as we can see from Ailio's and Ulbricht's contributions, both writing about liberal immunitary policies in two different matters.

3.1.9 Overview of Literature on Esposito

Community, immunization and contract seem to be the main Espositoan themes discussed in these commentaries. Ailio notices a similarity in the structures of HIV/AIDS and the political response to it. In both cases, immunity is unable to fully protect life. Ulbricht sees UK immigration policies as immunitary. Immunization is the key concept for Ailio and Ulbricht, and both use it for a practical political analysis. It is also linked to Hobbes in Esposito's thinking, because Esposito sees Hobbes as the thinker of immunization, which is discussed by several of these writers. Serafini takes Esposito's ideas furthest in the direction of transindividuality and a positive view on genetic engineering. Langford describes how in Esposito's *Communitas* the experience of a common non-belonging detaches the common from the modern and from contemporary social and political theory – including Hobbes's – and finally reaches for the outside of the community. This relation with the outside is

concretely analysed by de Bloois and by Ulbricht in their analyses of Europe's borders and Esposito. They both emphasize a political aspect in Esposito's thinking, which is against closing borders. Bird's view on Esposito's analysis of Hobbes is that Hobbes leaves us the choice of remaining in a state of terror or moving from there to a productive model based on fear. Prozorov explains that both Agamben and Esposito see Hobbes negating community: for Esposito, Hobbes negates the human community in the construction of the state of nature as the state of war in order to institute the commonwealth. Vanessa Lemm (2013) and Timothy Campbell (2008) also discuss Esposito's theory in their introductions to two of Esposito's books, but I have not included their introductions in this review. Some of their points will be briefly mentioned later in the chapter. The theme of the contract comes up in the commentaries rather often. The contract as a substitute for a gift-giving community in a Hobbesian society is discussed by Tierney and Bird. Langford brings up the social contract as the starting point for the division between the sovereign and his subjects. This is a theme in Esposito's thinking that connects especially legal and political thinking.

Several of the commentators above (e.g. Tierney, Prozorov, Bird, and to a certain degree Ailio and Langford) acknowledge the importance of Hobbes in Esposito's thinking. I will continue this line of thinking with a focus on the concepts of fear, violence and war, which Esposito examines and opposes in Hobbes, and claims we live in the Hobbesian state of nature which is a fiction meant to legitimize sovereign power.

3.2 ESPOSITO AND ITALIAN THOUGHT: ESPOSITO AND HOBBES

I will now move to my own interpretation of Esposito, focusing on Esposito's reading of Hobbes, especially his concept of the state of nature, which is related to war, because for Hobbes, the state of nature is a state of war. I argue that similarly to Agamben and Negri, Esposito thinks that we never leave the state of war despite the Hobbesian sovereign taking power.

First, I will give a brief overview of Esposito's place in the Italian thought tradition and some essential points in Esposito's view on Hobbes: the role of self-preservation, the idea of immunization, and of a community that would be different from the Hobbesian organization of a state. I will also discuss the question of origins, such as the idea of the state of nature as the origin

of the state. After that, I will move on to analyse the role of fear in Hobbes's theory, which Esposito questions, and finally, I look at violence in Hobbes, including a presentation of the criticism of the concept of the person which Esposito makes and which is related to Hobbes.

Esposito's work seems to be divided into two different lines: on the one hand, his own philosophical work, and on the other hand, books that reflect Italian philosophy from Dante Alighieri, Niccolò Machiavelli and Giambattista Vico to our own times, and its place in the canon of philosophy and of European thought. Two examples of the latter are *Living Thought* (Esposito 2012a) and *A Philosophy for Europe* (2018), but Esposito is probably best known for his more original trilogy *Communitas* (2010), *Immunitas* (2014a) and *Bíos* (2008). He mentions Giorgio Agamben and Antonio Negri as the Italian followers of Michel Foucault's work on biopolitics (Esposito 2013b, 85), and clearly, he is also one of Foucault's followers. In an interview he describes his position on biopolitics as external or nonconcentric to Negri's and Agamben's views. He says that "Agamben accentuates the negative, even tragic tonality of the biopolitical phenomenon in a strongly dehistoricizing modality" and Negri "insists on the productive, expansive, or more precisely vital element of the biopolitical dynamic" (Esposito 2006, 50). I will concentrate more on Esposito's own philosophical work rather than his account of Italian philosophy, although it is true to say Esposito's account of Italian philosophy does provide a background to his own thought. Going through his extensive analysis of Italian philosophy (and in *A Philosophy for Europe*, of German and French philosophy in relation to Italian philosophy) would be the topic for another dissertation.

Esposito notes that "only modernity makes of individual self-preservation the presupposition of all other political categories, from sovereignty to liberty" (Esposito 2008, 9). This modern tradition can be said to start from Hobbes's thinking where self-preservation and exit from the state of nature is the starting point. Roberto Esposito opposes the Hobbesian idea of the origin of the state that is based on the exit from the state of nature by giving all power to the sovereign. All social intercourse outside the exchange between protection and obedience is eliminated, and this makes the political order of sovereignty possible. The fear of violent death that all feel towards the other is in the Hobbesian scheme replaced by the fear of the sovereign. Esposito finds this scheme "immunitary", i.e. separating people from each other in the attempt of each person to protect oneself. For Esposito, Hobbes is the founder of the immunitary paradigm. Immunization

is one of Esposito's key concepts, and he is probably the first to have used this term in a political meaning. It describes a situation where the mutual obligation created by a gift, a *munus*, is neutralized and the person or the state is made immune to the obligation (Esposito 2000, 18; Esposito 2013a, 14; Esposito 2014, 6). "Those who are immune owe nothing to anyone", Esposito writes (Esposito 2014, 5). Hobbes is for Esposito the thinker of this neutralization and immunization. The individual is no longer indebted to others when he or she gives up part of his or her freedom to the sovereign, who protects the citizens. Instead of immunization, Esposito offers us a new definition of community, different from the neocommunitarian theories or German organicistic sociology, which are, according to Esposito, the main contemporary approaches to community. For him, community is a "locus of plurality, difference, and alterity" instead of identity and belonging, which are often associated with community (Esposito 2013a, 48, 55).

In *Living Thought*, Esposito suggests that Machiavelli offers an alternative to Hobbes, because he does not exclude conflict in the same way Hobbes does. For Machiavelli, there is an "inexhaustibility, and indeed coessentiality, of conflict in the order which contains it, something excluded in principle from the Hobbesian model" (Esposito 2012a, 24, see also 54). Machiavelli believed that different parties trying to conquer power in a republic may be good for the republic through the compromise they needed to achieve.

Machiavelli also questioned the idea of origin, such as a state of nature as a foundation for politics and for the state (ibid., 47–49). In these regards, Esposito continues the Italian tradition of seeing conflictuality in a positive light and not searching for an origin but rather relying on immanence.

In his article "Totalitarianism or Biopolitics?" Esposito raises the question of origins in the philosophy of history and asks why it would be necessary to find the origin of what does not seem to have an origin (Esposito 2016, 350–351). The same could apply to the state of nature as the origin of the state, although this is not directly mentioned in the article. It deals more specifically with the discussion on the origins of totalitarianism, used as a book title by both Hannah Arendt and Jacob Talmon. Esposito criticizes Arendt's view on Hobbes, where she claims that Hobbes's thought eventually leads to Auschwitz and Kolyma (ibid., 351, see also Esposito 2013a, 103). Esposito makes a distinction between Nazism and communism, which are often grouped together in the analysis of totalitarianism. For him, communism is philosophically speaking a theory of absolute equality whereas Nazism is a theory of absolute difference (Esposito 2013a, 104). He also

writes that Stalinist communism "may still be seen as an explosive extreme of the philosophy of modern history", but Nazism is outside of both modernity and of the philosophical tradition of modernity, also altering the logic of sovereignty: in the Reich all citizens have the right over life and death, not just the sovereign, and especially the physician is granted a sovereign right (Esposito 2013a, 73–74, 82). He proposes a radical deconstruction in conceptual paradigms: to make biopolitics and democracy compatible, "all of the old philosophies of history and all the conceptual paradigms that refer to them must be dismantled" (Esposito 2016, 358).

I will next approach the question how fear is present in Hobbes's political theory and how Esposito opposes this primacy of fear.

3.3 THE ROLE OF FEAR IN THE HOBBESIAN STATE AND ITS CRITICISM BY ESPOSITO

> "[T]he origin of large and lasting societies lay not in mutual human benevolence but in men's mutual fear." (Hobbes 2018, 24.)

In this subchapter, I examine the role of fear in ending war and founding a society. For Hobbes, fear of death is what makes people give up their freedom. For Esposito, either fear of others or fear of the sovereign are the basis for Hobbesian sovereignty. Traditional society was based on a gift which caused a debt, and this debt of gratitude became unbearable for the modern individual. Hobbes's answers are contract and institutions. For Esposito, community characterized by the absence of subjectivity, of identity, of property is the alternative to the Hobbesian contractarian state.

I will first present some references to fear and war and their relation to sovereignty in Hobbes's own work and then move on to Roberto Esposito's views on fear, war, the sovereign and authority.

Hobbes claimed that fear of death is what makes people give up their freedom. Men have in common the capacity to kill and be killed. In order to save themselves in a war of everyone against everyone, they give authority to the sovereign. He writes in *Leviathan*: "The Passions that encline men to Peace, are Feare of Death; desire of such things as are necessary to commodious living; and a Hope by their Industry to obtain them" (Hobbes 1985, 188, see also Esposito 2013a, 124). And in the epistle dedicatory for *The Elements of Law* Hobbes states: "government and peace have been

nothing else, to this day, but mutual fear" (Hobbes 2008a, 20). In probably the most famous passage of *Leviathan* Hobbes underlines fear and danger of violent death as the worst consequences of the state of nature, which is also a state of war of each against all:

> In such condition, there is no place for Industry; because the fruit thereof is uncertain: and consequently no Culture of the Earth; no Navigation, nor use of the commodities that may be imported by Sea; no commodious Building; no Instruments of moving, and removing such things as require much force; no Knowledge of the face of the Earth; no account of Time; no Arts; no Letters; no Society; and which is worst of all, continuall feare, and danger of violent death; And the life of man, solitary, poore, nasty, brutish, and short. (Hobbes 1985, 186)

Hobbes mentions another cause of fear, rather unusual for our times: in *Leviathan*, in a chapter about the diseases of the political body, he writes that people fear darkness and invisible spirits more than death (Hobbes 1985, 371). This seems to be an unwanted situation for Hobbes. Instead, people should pay more attention to their self-preservation (Holmes 1990, xlix). Church authority is based on fear that is for Hobbes irrational and anxious compared with the rational fear that makes citizens obedient to the sovereign's law (Holmes 1990, xliv).

Hobbes's life history began with the fear caused by the political situation and the threat of war. He writes in *The Verse Life*:

> And hereupon it was my Mother Dear
> Did bring forth Twins at once, both Me, and Fear. (Hobbes 2008b, 254)

The Verse Life also ends with a mention of fear in a different light, with death bringing an end to a life-long fear:

> I've now Compleated my Eighty fourth year,
> And Death approaching, prompts me not to fear. (Ibid., 264)

Next, I will examine what Esposito writes about fear, the sovereign, and authority in Hobbes.

Contemporary Italian theorists Roberto Esposito, Giorgio Agamben and Antonio Negri have been critical towards the Hobbesian scheme of forming the state on fear. Roberto Esposito points out that the horizontal relation

between people is sacrificed in the Hobbesian idea when preference is given to the vertical relation between the sovereign and his subjects. Both sovereignty through acquisition and sovereignty by institution are based on fear: either fear of the others or fear of the sovereign (Esposito 2010, 32). Fear is essentially the fear of death, which is also the origin of the political – there would not be politics without fear. For Hobbes, this is equally true for the legitimate forms of the state, not only for the degenerate. Fear moves from an anarchic fear, from a state of nature, to an institutional fear in a civil state. Fear can be reduced but it does not disappear, and the role of the state is not to eliminate fear. Hobbes makes a distinction between *fear* and *terror*. Fear makes us think of ways to extract ourselves from a risky situation, whereas terror is completely negative and paralyzing (Esposito 2010, 23). To describe the first fear which leads to the formation of the state, Hobbes uses the stronger term terror. To escape the state of fear, people move to the fear of the state by giving power to the sovereign. For Esposito, this submission is a sacrifice: life is sacrificed in order to be preserved. This forms a spiral: sacrifice is an answer to fear, sacrifice causes fear, and so on (Esposito 2010, 21–23, 25, 33, Esposito 2015c, 12). There is a "sacrifice of the individual to the undifferentiated common", as Rossella Bonito Oliva describes it in an article on Esposito's trilogy *Communitas*, *Immunitas* and *Bíos*. The Hobbesian pact is born from the experience of insecurity, and individual fear is used to sacrifice the individual in the community (Oliva 2006, 72).

The Hobbesian way to exit the state of fear and the spiral of sacrifice is to immunize oneself against others. For Esposito, Hobbes is a thinker of immunization. Traditional society was based on a gift, which caused a debt,[19] and this debt of gratitude became unbearable for the modern individual. The answer was to free oneself from the "debt" that binds them by cutting the social tie which involved a gift and replacing it with an immunized relation between the sovereign and his subjects (Esposito 2010, 12–13, Esposito 2008, 51, Esposito 2014, 86). As Esposito puts it, "The modern individual, who assigns to every service its specific prize, can no longer bear the gratitude that the gift demands" (Esposito 2010, 12). Esposito traces in the Latin origin of community, *communitas*, the term *munus*, a gift (Esposito 2014, 22, Esposito 2013b, 84, Esposito 2010). Luca Serafini describes the indebtedness caused by *munus*: "to share the *munus* means to share a con-

19 Hardt and Negri compare the social debt to the financial one in *Declaration* (Hardt & Negri 2012, 34–35).

stitutive lack, to be always in debt to somebody else with whom we do not share any specific characteristic", and thus the community is an emptiness (Serafini 2017, 216). In a community, boundaries of the proper and of the common (or of no one) become blurred (Esposito 2014, 22). *Immunitas* is the opposite of the gift (Esposito 2010, 12, Esposito 2013b, 84). In high doses immunization is the "sacrifice of the living – of every qualified life, that is – for the sake of mere survival" (Esposito 2013b, 85). The contract that Hobbes proposes is everything that a gift is not, it is "the neutralization of its poisonous fruits". The Leviathan-State implies breaking every communitarian bond that is outside of the relation of obedience and protection between the sovereign and his subjects. The *cum*, the relation among men is sacrificed here. Esposito interprets that later philosophers have sensed the "nihilistic character of this decision" and there is a certain guilt about it in their thinking on community (Ibid., 14–15).

The concept of immunity discussed in this chapter is mostly legal and political. In the legal meaning, those who are immune, such as Members of Parliament or of Congress as well as diplomats, are not subject to "a jurisdiction that applies to all other citizens in derogation of the common law" (Esposito 2013b, 84). Sometimes the juridical discussion on immunity is extended to certain political personages, such as Augusto Pinochet or Slobodan Milosevic (Esposito 2013a, 60). Immunity is a privileged condition, an exception to the common condition (Esposito 2013b, 84). Esposito also uses the concept of immunity in a more concrete, biomedical meaning of the body's immune system, and the two meanings are often intertwined (Esposito 2014, 18). In his analysis of Nazism, for example, Esposito shows many similarities between the two meanings brought together by the "body politic" metaphor (Esposito 2008, 110–145). An important example of immunization in contemporary societies is the fearful attitude toward migration flows to the Western world (Esposito 2013a, 59), which is seen as attacking political bodies. He links this attitude to political monotheism, one king and one kingdom corresponding to one God, and not accepting anything from the outside (Esposito 2013a, 63). He believes, though, that the West is capable of overcoming the immunitarian and the theological-political paradigm,[20] since "the idea that we may be joined together not by what

20 Theological-political paradigm means that there is an analogy between God and the sovereign and similarities between how these two are seen to have ultimate power. Esposito describes the analogy: "since only a single God can put an end to polytheist turmoil, in the

we share but by distinction and diversity is part of the Western tradition" (Esposito 2013a, 65).

Esposito reminds us that for Hobbes, lasting societies are based on mutual fear, not on mutual good will towards the other. The Aristotelian type of positive anthropology is forgotten. Men are each other's opponents and competitors, and war is their natural condition. Friendship is only temporary and instrumental (Esposito 2010, 24, 26–27). Therefore, Hobbes needs to find a way out of this "crime of the community": "If the relation between men is in itself destructive, the only route of escape from this unbearable state of affairs is the destruction of the relation itself." The new state should be built outside of the mutual conflict, as "the union of many men" but not on their concord. The subjects in the Hobbesian state have nothing in common, and associations are prohibited or at least deemed unnecessary for "maintaining of peace and justice".[21] The institution of a Third with whom all can relate helps to escape the mortal danger of relations. Esposito questions whether a system based only on fear can be sustained. One of the most controversial ideas in Hobbes is his passage on the renouncement of the right of resistance to the formation of the sovereign's person, which is not completely solved by his theory of authorization (Esposito 2010, 27–30). For me, Esposito's reading of Hobbes as being against community seems valid. It is noteworthy, however, that Esposito himself claims that members of a community paradoxically have nothing in common (Esposito 2013b, 84), and that this having nothing in common is somehow the very essence of community when at the same time he accuses the Hobbesian state for its subjects not having anything in common.

Like Giorgio Agamben (Agamben 1998, 35), Esposito suggests that the state of nature continues in the person of the sovereign: "the state of nature is not overcome once and for all by the civil, but it resurfaces again in the same figure of the sovereign, because it is the only one to have preserved

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same way, only a single sovereign is able to rid the state-body of the scourge of conflict" (Esposito 2012a, 55).

21 "The Leagues of Subjects, (because Leagues are commonly made for mutuall defence), are in a Common-wealth (which is no more than a League of all the Subjects together) for the most part unnecessary, and savour of unlawfull designe; and are for that cause Unlawfull, and go commonly by the name of Factions, or Conspiracies. […] But Leagues of the Subjects of one and the same Common-wealth, where every one may obtain his right by means of the Soveraign Power, are unnecessary to the maintaining of Peace and Justice, and (in case the designe of them be evill, or Unknown to the Common-wealth) unlawfull." (Hobbes 1985/1651, 286.)

natural right in a context in which all the others have given it up" (Esposito 2010, 30). Agamben also shares Esposito's criticism about the state being founded on the cutting of social ties (Agamben 1993).

Protection and persecution are each other's reversal. Esposito observes that in *Leviathan* Hobbes describes how the victors direct their fury towards those they have defeated by putting them into prisons or fetters. They let the vanquished keep their lives, and as slaves they work to avoid cruelty. This identification of the victim with his own persecutor is for Esposito "the height of a sacrificial mechanism set in motion originally by mimetic desire and subsequently institutionalized in the political exchange between protection and obedience". The enemy is usually outside of the state, which is created by contract, but there are exceptions, and sacrificing life to protect it is the Hobbesian answer to these exceptions. Esposito considers that sacrifice is not only that of an enemy but also of every single member of the community, "since every member finds in his own being the originary figure of the *first* enemy" (Esposito 2010, 32–34).

Esposito shows similarities between Freud's mythical scheme of the relation of murdering son to his father: a mixture of respect and fear, and Hobbes's Leviathan which is also an object both of respect and of fear (Esposito 2010, 37). The continuing cycle of murders and incorporations is visible in the frontispiece of *Leviathan*: "What else does the celebrated image of Leviathan represent, composed as it is of many small human forms wedged in together one against the other in the shape of a scale of impenetrable armor, if not the inclusion again of the murderous sons on the part of the 'second' father in *one's own body*?" (Esposito 2010, 40). (For Giorgio Agamben's interpretation of the frontispiece compared with that of Quentin Skinner, see subchapter 2.2 in this dissertation.)

Esposito presents Jean-Jacques Rousseau, Friedrich Nietzsche and Georges Bataille as strong anti-Hobbesians like himself, Bataille seeming to be particularly important for Esposito as an anti-Hobbesian (Esposito 2010, 39–127). Esposito sees Rousseau as the first great adversary of Hobbes. Rousseau treated Hobbes as a "sophist" and himself as a philosopher (Esposito 2010, 39). Hobbes, according to Rousseau, saw men as demons or wolves who devoured each other. The continuous cycle of devouring and being devoured is cut by a despotic monster for both Rousseau and Hobbes, although Rousseau sees this as something to oppose. The original impetus in this scheme is missing: "there is nothing to be found where the origin is except the trace of its withdrawal" (Esposito 2010, 42–43, 45–46). For Rousseau, the community is necessary:

"It is our *munus* in the exact sense that we deeply carry responsibility for community. Here then we can distinguish the lines that separate it from the Hobbesian sacrificial mechanism" (ibid., 49). Esposito cites Rousseau from the *Social Contract*, where he sees isolated men in the Hobbesian state as slaves to a master rather than citizens of a nation. It is an aggregation of men rather than an association, and a shared fear is what joins them together. The result is a shared servitude which is the contrary of community (ibid., 49–50). Esposito notes that Rousseau's contract is even more absolute than that of *Leviathan*. Rousseau ends up converging with Hobbes even though he tries to contest him. Rousseau's effort to combine a manifested absolute solitude with community is for Esposito a failure (ibid., 51). Esposito points out that Rousseau rejects Hobbes's separation between the public and the private (ibid., 55): "We have here a radical development with respect both to the extralegal relation of being able to be killed by everyone else (which is the Hobbesian argument) and as the non-relation of the state of nature in Rousseau" (Esposito 2010, 65). Esposito also suggests that Hobbes denies the question of community and that Rousseau attempts to resolve the question through a myth. For Esposito, people are joined together by the impossibility of the community: "This is what the law of the community says: that the limit cannot be erased nor can one cross it" (ibid., 76–77).

Georges Bataille could be seen as the most radical anti-Hobbesian, Esposito writes following Elena Pulcini's interpretation. Bataille "rejects Hobbes's obsession with a *conservatio vitae* extended to such a degree that it sacrifices every other good to its own realization" (Esposito 2010, 124). Bataille objects to the Hobbesian idea that contact with the other is to be avoided. Instead he sees the community, rather radically, in the mutual infection of wounds. Instead of the Hobbesian economy of the contract, he seeks an economy and community based on gifts which have no motivation or demand of return. This is a way out of the Hobbesian logic of sacrifice, although in Bataille's own thinking sacrifice is also an important theme. For Bataille, Nietzsche is the thinker who fought against the Hobbesian tradition (Esposito 2010, 123–127, see also Esposito 2013a, 44–45, Bird 2016, 165).

What then for Esposito is a community? For him, it is incompatible with the nihilism which characterizes our time, and is "the underlying tendency of modern society" (Esposito 2010, 137). Hobbes was the thinker who initiated modern nihilism. For Hobbes, institutions are an "artificial prosthesis", a way of protecting men from the others. The negativity of the originary community justifies the sovereign order (Esposito 2010, 136–137, 140–141).

> If we are to speak of community in terms that aren't simply nostalgic, there does remain the path of circumscribing nihilism within one feature or one particular moment of our experience, namely, to think of it as a phenomenon that "ends", that is destined to come apart at a certain point or at least to recede; or to understand it as a disease that has reached only a fixed set of organs in a body that is otherwise healthy. (Esposito 2010, 136–137)

As a conclusion of his etymological and philosophical discussion on *communitas*, based on *munus*, a gift, Esposito suggests that community is distanced from "property that is collectively owned by a totality of individuals or by their having a common identity" (Esposito 2010, 137–138). Members of the community share rather "an expropriation of their own essence which isn't limited to their 'having' but one that involves and affects their own 'being subjects'" (Esposito 2010, 138). Thus, the discussion is moved to a level of ontology from the political philosophy. Community is characterized by the absence of subjectivity, of identity, of property. It is the relation that closes individual subjects off from their identity, "the threshold where they meet in a point of contact that brings them into relation with others to the degree to which it separates them from themselves" (ibid., 138–139). It is something that emerges when it is at the point of vanishing (Esposito 2013a, 45).

Beginning from Rousseau until contemporary communitarianism, the Hobbesian scheme of immunization is reversed, but Esposito notes that immunization for Rousseau is at the same time applied to the collective instead of the Hobbesian individual, so Rousseau is still a part of the immunitarian logic.[22] Rousseau idealizes a community that is self-sufficient and not translatable into a political community – an ideal that has affected the Romantic tradition (Esposito 2010, 142–143).

In the next subchapter, I will argue that, according to Esposito, the Hobbesian ideal of the end of violence and of war fails.

22 For a definition and discussion of 'immunitarian' and 'immunization' for Esposito, see subchapters 3.4.1 and 3.4.3.

3.4 THE END OF VIOLENCE IN THE HOBBESIAN STATE CONCEPT

Thomas Hobbes could be seen as the theoretician of the end of violence, or, as was suggested by Michel Foucault, whose ideas on biopolitics have influenced Esposito, Agamben and Negri, a philosopher of peace or of the neutralization of conflict (Esposito 2008, 61). Roberto Esposito notes that the neutralization of conflict in the Hobbesian state is not complete. Part of the conflict is incorporated in the immunized organism. Esposito agrees with Machiavelli who saw that a certain amount of conflict is good for the society and makes it more dynamic than permanent stability.

Esposito argues against Hobbes on a very fundamental level. In *Bíos*, Esposito claims that the analytic framework derived from the Hobbesian matrix together with occasional Kantian cosmopolitanism "reflects almost nothing of current reality" (Esposito 2008, 148). According to Timothy Campbell, Esposito is attempting to articulate "a political semantics that can lead to a nonimmunized (or radically communitized) life" (Campbell 2008, xiii).

Esposito compares Nazism to autoimmune diseases, a notion he discusses at length in *Immunitas* (Esposito 2014). Nazism turns the protective apparatus against its own body, which can be exemplified by Hitler's final orders for the destruction of Germany's infrastructure and his own self-destruction in his Berlin bunker. Esposito claims that in this sense, Nazism represents the culmination of biopolitics in the negative sense turned into a thanatopolitics (Esposito 2008, 10, for the functioning of autoimmune diseases, see Esposito 2014, 162–163). In an interview Esposito presents two more recent examples of "immunitary obsessions":

> I'm speaking of Islamic fundamentalism, which has decided to protect (even to the death) its religious, ethnic, and cultural purity from contamination by Western secularization; and the other found in certain parts of the West, and that is engaged in excluding the rest of the planet from sharing its own surplus of goods, as well as defending itself from the hunger that strikes a large part of the world that is increasingly condemned to forced anorexia. (Esposito 2006, 53)

As an alternative to these immunitary obsessions, Esposito presents common life that reaches beyond boundaries:

> Common life is what breaks the identity-making boundaries of individuals, exposing them to alteration – and thus potential conflict – from others. Also, because the community brings its members together in a common relationship that is necessarily one of reciprocity, it tends to confuse the boundaries between what is proper to each individual and what belongs to everybody and hence to nobody. (Esposito 2014, 22)

In this regard, Esposito seems to be close to Antonio Negri and Michael Hardt, who present "the common" or "commons" as the antidote of private property and privatization and see the multitude as an internally different social subject that is based on what it has in common (e.g. Hardt & Negri 2005, xv, 100). Esposito sees the legal immunization as a "generalized form of bringing the common back to the proper" (Esposito 2014, 25). An essential tension is here between law and force, force being the logical and historical precondition for law (ibid.). This is also the Hobbesian scheme: the sovereign (force) is the one who imposes the law. "Nothing stands behind Roman law other than its own founding force", Esposito writes (Esposito 2014, 27).

Vanessa Lemm describes immunization in her introduction to Esposito's *Terms of the Political*:

> If community is our "outside", immunization is what brings us back within ourselves by cutting off all contact with the outside. Immunization is therefore understood as a frontier, a dividing line, a term or limit (of the political) that protects individual life from the demands of community. (Lemm 2013, 4)

Lemm writes that for Esposito, community is the condition of our existence and that he is attempting to make a "shift from thanatopolitics to affirmative biopolitics" and "from freedom understood as an immunitary device to a relational-contagious experience" (Lemm 2013, 11). Both Campbell and Lemm point out that Esposito is trying to move away from the immunitary thinking of politics. Esposito presents two opposite interpretations of biopolitics: one radically negative and the other euphoric, he himself taking a stand for the possibility of a positive, affirmative biopolitics (Esposito 2008, 8, 12).

Esposito claims that "sovereignty seems to have extended and intensified its range of action" recently, and sovereignty is now more directly engaged in questions of life and death (Esposito 2008, 14). He goes through different vitalistic conceptions of the state that see the state as a living organism and refers to the Swedish writer Rudolph Kjellén in a 1916 book in which Kjellén

supposes that the state has instincts and natural drives. Here Kjellén uses the term biopolitics, possibly for the first time. According to Esposito, Kjellén takes us beyond the ancient metaphor of the body-state that is also central in Hobbes's thinking. Contrary to the Hobbesian view where life is preserved through instituting an artificial barrier to nature, the political in Kjellén's view is seen as a continuation of nature at another level (ibid., 16–17).

All modern philosophies take a stand on the Hobbesian model of sovereign power, Esposito claiming that they either affirm the absolute character of this power or insist on its limits (Esposito 2008, 25). Esposito sees Hobbes as a nihilistic thinker: Hobbes is "responsible for inaugurating modernity's most celebrated immune scenario" (Esposito 2014, 86). By this he means that the passage from the state of nature to the civil state is an "annihilation of the nothing that the community naturally bears within itself, through the production of an artificial nothing capable of converting its destructive effects into ordering ones" (Esposito 2014, 86). All social intercourse outside the exchange between protection and obedience is eliminated, and this makes the political order of sovereignty possible (Esposito 2014, 86; see also Prozorov 2015, 50–54).

According to Esposito, "human beings are united in institutions by their alienation; they are immunized against what they have in common"(Esposito 2014, 107), referring to Arnold Gehlen's theories which claim that freedom expands when an institutional apparatus grows: norms free us from excessive freedom of action (Esposito 2014, 106–107).

3.4.1 Against the Body Metaphor

Esposito finds that the body metaphor of the state is often connected with a war-like attitude towards the outside. He opposes the use of the body metaphor as it leads us to think of the community as a closed entity regardless of whether it is used in an "absolutist-Hobbesian" or "democratic-Rousseauian" sense, and regardless of the political orientation of the user:

> [E]ach time the body is thought in political terms, or politics in terms of the body, an immunitary short-circuit is always produced, one destined to close "the political body" on itself and within itself in opposition to its own outside. (Esposito 2008, 158)

The object of the political body is the self-preservation of the political organism (ibid.). For Esposito, politics and the immunitary paradigm become

connected in biopolitics: it is where life becomes the content of political action. The body is "the liminal zone where the immunitary intention of politics is carried out" (Esposito 2014, 113). Esposito focuses on the immunitary character of the widespread body politic metaphor: the life of the body politic is fragile and it needs to be protected from what threatens it. He points out that Hobbes understood the mortal precariousness of the body politic better than anyone else. Hobbes added a machine metaphor to supplement the body metaphor. It is a way of keeping "the body alive beyond its natural capacity". Esposito emphasizes that in Hobbes, the body is immunized rather than replaced, and the life of the state, the Leviathan, is artificial. Hobbes's role in biopolitics is crucial: he brings the question of life and safeguarding human life into the heart of political theory. For Esposito, "a truly fatal leap occurs when this immunitary turn in biopolitics intersects with the trajectory of nationalism, and then racism". Esposito contrasts the Hobbesian model to the Rousseauian model, where the body politic's immune mechanism has no need of artificial support and all the body politic models of Merleau-Ponty's idea of the "flesh of the world" (Esposito 2014, 112–119; Esposito 2008, 159–161, Esposito 2013a, 69, 71). Esposito opts for "flesh" rather than "body" as a relevant metaphor for our globalized world:

> There is no doubt that the category of "body" no longer responds to questions posed by a world with no internal borders; and therefore it should be deconstructed through a different lexicon, one in which "flesh" is the most meaningful term. (Esposito 2014, 121)

He also makes a connection between the state of nature and flesh: at the time of the early nation-states "the 'flesh' of a plural and potentially rebellious multitude [...] needed to be integrated in a unified body at the command of the sovereign" (Esposito 2008, 165).[23] One of the alternatives to the body politic metaphor comes from Rudolf Virchow's cellular theory from the 19th century. It shows that the primacy of brain and heart is not founded since life is present in all cells of the body and in all individual citizens of the state (Esposito 2014, 132). Jaakko Ailio has noted that Esposito's use of the metaphor of flesh for a globalized world is in contradiction with his

23 See the chapter on Negri. "Flesh of the multitude" is also a metaphor used by Antonio Negri. For a discussion on how the use of the metaphor of flesh contradicts Esposito's other ideas, see Ailio 2017, 64–65.

logic of biopolitical-affirmative biopolitics, which seeks to go beyond the negations of modern biopolitics. Ailio prefers Esposito's discussions on organ transplants and birth as they are non-aporetic compared with the flesh/body dichotomy: immunity is put aside for a while in order for the embryo to survive or for the organ to be adjusted to the body (Ailio 2017, 64–65, Esposito 2014, 170). In his considerations of the body and immunity, Esposito is deeply influenced by Donna Haraway. According to Tierney's description, Haraway "not only presented immunology as 'the heart of biopolitics', but also challenged Foucault's reliance upon an anachronistic image of the body as a discrete entity with a clearly demarcated border" (Tierney 2016, 69).

Esposito notes that the immune system is "described as a military device, defending and attacking everything not recognized as belonging to it, and which must therefore be fended off and destroyed" (Esposito 2014, 17). This idea of a need for violent defence in a body is extended to a larger reality as a need for defence against anything judged to be foreign, although more recent studies on immunity contest the monolithic conception and rather see immunity as a nonexcluding relation (Esposito 2014, 17, 154). Following Haraway, Esposito underlines the importance of the biomedical paradigm, which "directly affects our fundamental distinction between life and death" (ibid., 153). Esposito finds military terminology in books by Dwyer and Nilsson about the immune system from the 1980s after the discovery of AIDS: "the detection of the enemy, the activation of the defence lines, the launch of the counterattack, the physical elimination of the captured opponents, to the clearing away of casualties from the field" (ibid., 156). He cites Nilsson from *The Body Victorious*: "Autoimmune diseases are for the body what civil wars are to society" (ibid., 164). After the battle of the immune system, the "body has regained its integrity: once immunized, it can no longer be attacked by the enemy" (ibid., 159). Esposito doubts this complete victory in the reconstructions of the immune process which forgets the finite nature of human existence and the fragility of the body (ibid., 159–161).

Esposito points out a change in the body politic metaphor when moving from the sovereignty paradigm to the biopolitical paradigm: in Hobbes's *Leviathan*, the body politic was still a juridico-political metaphor whereas in biopolitics it has become a reality: the individuals who constitute a population are a real, material body that is a field for medical intervention. The change is represented by a shift "from the sovereign language of law to the biopolitical language of norms" (Esposito 2014, 137–138).

3.4.2 Power, Life, Representation and Hobbes

Esposito, citing Foucault, sees sovereignty and biopolitics to be in opposition to each other. He writes that "biopolitics is primarily that which is *not* sovereignty" (Esposito 2008, 33). The first is more oriented towards the control of the bodies and that which they do, whereas the latter was interested in the appropriation of the earth and its products (ibid., 34). Instead of preserving its own power in a circular manner, power is now more interested in the lives of its subjects. Instead of obedience, the aim is the welfare of the governed: health, longevity, and wealth (ibid., 36). Some pages later, however, in *Bíos* Esposito writes that sovereign power for Foucault is still included in biopower, "just as the sovereign model incorporates the ancient pastoral power", and he identifies the reign of immunization with the reign of biopolitics (ibid., 41, 52).

Esposito writes that sovereignty is neither before nor after biopolitics but "cuts across the entire horizon, furnishing the most powerful response to the modern problem of the self-preservation of life. The importance of Hobbes's philosophy, even before his disruptive categorical innovations, resides in the absolute distinctness by which this transition is felt" (Esposito 2008, 57).

"It's not by chance that the man to whom Hobbes turns his attention is one characterized essentially by the body, by its needs, by its impulses, and by its drives" (Esposito 2008, 57). The centrality of life is essential to Hobbes, and politics is given the responsibility for saving life. Sovereignty is the "second immunitary *dispositif* which is destined to protect life against an inefficient and essentially risky protection". For the subjects of the sovereign, resisting sovereignty would be resisting themselves. Esposito approaches the question of representation in Hobbes: the concept has a contradictory structure because the one representing the people, namely the sovereign, "is simultaneously identical and different with respect to those that he represents". New research has shown that absolutism and individualism implicate each other instead of being in contradiction with each other. Individuals need to be considered equal with others in order to institute a sovereign that is capable of legitimately representing them (ibid., 59–60).

For Esposito, the Hobbesian state of nature is a horizontal, communal relation despite its leading to a generalized conflict. He writes that sovereignty that ends the natural state "is the not being in common *[il non essere]* of individuals, the political form of their desocialization" and the artificial vacuum created around every individual. In the process of moving from the state of nature to the one ruled by a sovereign, the communal tie between

individuals is cut. Esposito writes that Hobbes does not say it explicitly, but that there is a remnant of violence that the immunitary apparatus cannot mediate because it has produced it itself (Esposito 2008, 61).

The fear of violent death that all feel towards the other is in the Hobbesian scheme replaced by the fear of the sovereign. The new situation still carries the possibility that the one protecting life may also take it away. But the subject cannot really be against anything the sovereign does, because "every particular man is Author of all the Soveraigne doth" (Hobbes 1985, 232). Esposito describes the situation: "It is as if the negative, keeping to its immunitary function of protecting life, suddenly moves outside the frame and on its reentry strikes life with uncontrollable violence" (Esposito 2008, 62–63).

Esposito presents Walter Benjamin's view about violence and law in *Immunitas*:

> 1) Law is always founded at the beginning by a violent act (one that is legally unfounded); 2) once established, it excludes any other violence external to it; 3) but this exclusion can only be carried out by means of further violence, no longer to institute but rather to preserve the established power. In the final analysis, this is what law is: violence against violence in order to control violence. (Esposito 2014, 29)

Esposito points out that Hobbes understood this interplay of violence and law since he preserved the natural right of the sovereign at the instant he took it away from someone else (Esposito 2014, 30).

3.4.3 Immunity: the Hobbesian Vaccine

Esposito differentiates the biomedical immunity from the political-juridical one, which he defines as "a temporary or definitive exemption on the part of subject with regard to concrete obligations or responsibilities that under normal circumstances would bind one to others" (Esposito 2008, 45). He links the immunitary principle to Hobbesian political philosophy which places its emphasis on the *conservatio vitae*, the conservation of life. The immunization of the political body is similar to vaccinating the individual body by giving it a small amount of the pathogen which it wants to protect itself from (ibid., 46).

But what exactly is the Hobbesian "vaccine"? Esposito refers to Talcott Parsons and Niklas Luhmann and suggests that the vaccine is conflict, which is

both preserved and dominated in order; that order is the result of conflict. For Luhmann, systems need to produce, not reject, conflicts and contradictions as necessary antigens for reactivating their own antibodies (ibid., 49). Esposito also quotes Luhmann saying that the legal system serves as society's immune system (Esposito 2014, 45). Esposito takes note of how communication in Luhmann's thinking coincides with an immune device that constitutes both its condition and effect (ibid., 46–47), and how "Luhmann leaves behind the classic oppositional dichotomy between order and conflict – conflict as that which hinders order, and order as that which eliminates conflict – which the Hobbesian paradigm of order was based on [...]. The problem becomes how to produce enough contradictions to create a valid immune apparatus" (ibid., 49). In Luhmann's perspective we are undergoing a generalized immunization where there is no place for violence unless we see that the generalized immunization brings a greater risk, that of eliminating the community as a whole by preventive immunization (ibid., 50).

Esposito writes that "the calls for immunized identities of small states are nothing but the counter-effect or the crisis of an allergic rejection to global contamination" (Esposito 2008, 50). He makes a connection between modernity and immunization, but clarifies that the immunitary paradigm is not reducible only to the modern. "Immune is the 'nonbeing' or the 'not-having' anything in common", he writes, presenting *immunitas* as the reverse of *communitas* (ibid., 51).

Esposito compares the Hobbesian immunitarian paradigm with that of Nietzsche, who he appreciates as an anti-Hobbesian thinker, and suggests that for Hobbes the immunitary demand is primary, while for Nietzsche the will to power comes before the demand for protection. Esposito points out that compared with Hobbes, Nietzsche's perspective shows the original biological matrix of the immunitary paradigm more clearly. Hobbes and several other authors are more concerned with the fear of violent death and then a demand for protection. Esposito also shows that Nietzsche moves from the animal metaphor originated by Hobbes (that man is a wolf toward his equals) to a more microscopic level, comparing men to parasites and bacilli. According to Esposito, however, Nietzsche's animalization of man marks the future of the human species: "In Nietzsche, the animal is never interpreted as the obscure abyss or the face of stone from which man escapes. [...] man who is capable of redefining the meaning of his own species no longer in humanistic or anthropological terms, but in anthropocentric or biotechnological terms" (Esposito 2008, 87, 90, 100, 108–109). Esposito

underlines the Hobbesian premise which is present in Nietzsche's thinking: that "human society, whatever it may be, is unable to last unless it has an artificial order capable of neutralizing the potential violence that riddles it by nature" (Esposito 2014, 98).

3.4.4 Hobbes's Personalism and Esposito's Criticism of the Concept of the Person[24]

In his recent books, *Two* (2015a), *Persons and Things* (2015b) and *Third Person* (2012b), Esposito examines the idea of the person and personhood from Christianity and from Roman law onwards, and the connections between person and the state, most clearly visible in the person of the sovereign. Person was a legal category already for Hobbes who stated that non-living things can be legal persons (Hobbes 1985/1651, 219). Esposito notes that "the tradition of defining the state in terms of personhood has a venerable history that found its most influential theoretician in Hobbes, through the development of the category of sovereignty" (Esposito 2015a, 128). I will next take a step away from the question of Hobbes and personhood to explore what Esposito criticizes about the concept of the person more generally, and then come back to Hobbes and personhood at the end of this subchapter.

Esposito criticizes modern bioethics (e.g. Peter Singer and Hugo Engelhardt) for repeating the division of Roman law into persons and things that have use value but no other value. Bioethics continues directly the Roman division into people who are persons, and others who are not, or are slightly less persons than the others (Esposito 2012b, 13, 97). Bioethics officially denounces Nazism, but the logic of thinking is similar in both. Bioethics wants to define when people are persons. Not all people are counted as persons, but instead they float in an intermediate space as a semi-person or even a non-person. Esposito discusses drawing a line between the (commodified) body and the person in medical-ethical questions provoked by new technologies: according to him, an organ that is removed from the body could be a thing, because unlike a person, it can be given away, but it cannot be a thing, because it cannot be sold. There has been a legal case where a medical group tried to sell a patient's gallbladder to a pharmaceutical company, and the court forbade them (Esposito 2012b, 94–95).

24 Part of this subchapter was published in Finnish in the journal *Tiede & edistys* 1/2017 under the title "Henkilön käsitteen kritiikistä Roberto Espositolla".

The original meaning of person was a "mask that adheres to the face of the actor" (Esposito 2012b, 8). The idea of the person is characteristic to all contemporary philosophy, analytical as well as continental philosophy, Catholic as well as secular thinking. In the Christian conception of the sanctity of life and in the secular thought about the quality of life the *personal* is raised above the impersonal. Apart from philosophy and bioethics, the same division continues in law: the legal person is linked with the legal subject (Esposito 2012b, 2). The concept of the person was believed to close the gap between a human being and a citizen, which Hannah Arendt highlighted when the number of stateless people rose dramatically at the end of the Second World War. A person was deemed to be a more universal category than a citizen or an individual. A person was thought to combine the spheres of law and humanity, contrary to a citizen, who is limited to national ideology, which separates the two spheres. It also became easier to adopt a position that human rights can only be thought of through persons (ibid., 3).[25] Esposito, however, notices a growing gap between the ideal principle of the sanctity of a person and reality, where human rights and the right to life are not fulfilled when an increasing number of people die of hunger, in wars and in epidemies. His central thesis is that human rights do not fail in combining rights and life despite the ideology of the person but rather because of it (ibid., 4–5).

Esposito situates the origin of the concept of the person in theological and juridical language. *Person* was a reference to the three persons of God, and on the other hand, to the legal subject which has rational will. The bridge between these two was the idea of the natural right which was until Hobbes tied to the supernatural principle (ibid., 70–71). A new turn to the use of the concept of the person was brought about by the growing importance of biological knowledge in philosophy and political thought starting from the beginning of the 19th century: physiologist Xavier Bichat (1771–1802) distinguished two layers in all living material, on the one hand a vegetative and unconscious layer, and on the other hand a layer concentrated on the brain and the relational level. Schopenhauer transferred this medical idea to philosophy and Comte to sociology. This theoretical distinction started a process of desubjectivization that changed radically the modern concept of

25 Jacques Maritain was one of the writers of the universal declaration of human rights. He proposed that the definition of a person should be that he or she is a human being who has sovereignty over his/her animal being. The definition has lived on, even though it did not end up in the declaration. (Esposito 2012b, 12)

the political. Two opposite forces were seen to fight inside human beings, and of these two, the simple force of continuing life was the one that defined our passions and even our will. The organization of society was based on biology rather than on the free will of citizens and on the sovereignty formed by this free will. In the 19th century this biopolitics was joined by hierarchical anthropology and in the beginning of the 20th century, a racist anthropology. Animals became a point of division within humanity: for comparative zoology, humankind was divided according to how close to an animal each human type was. The idea of the person was shattered when it was reduced to pure biology. Only when the Nazi regime was defeated was the concept of person again elevated (ibid., 5–8).

Bichat's division into two types of life, organic and animal, had dismissed the idea of a person responsible for his or her actions and who had legal rights and obligations. When this biological distinction was transferred from the level of the body into the whole of humankind, an irreversible point was reached in depersonification. Persons in the modern tradition had all their attributes taken away, and they were replaced by collective entities: national, ethnic or racial entities whose faiths were decided by blood bonds. A personal subject was left no autonomy to make individual decisions or to make bonds freely with other people. The autonomy was replaced by a deadly fight for survival (ibid., 71–72). Esposito explains that the division into organic life and animal life and the new biological view that the civic state is rooted in the natural state undermines the Hobbesian idea of the opposition between the political state and the natural state (Esposito 2015c).

Esposito finds the most influential concept of the person in Roman law. He names this ongoing concept of the person a "dispositif of the person", which still continues in the philosophical, legal and political conceptions of our time. Its basis is the distinction between a person as an artificial entity and a human being as a natural creature. A human being can either have or not have the status of a person. The division into different categories in Roman law had a concrete exclusionary consequence: for example, a slave was categorized as between a person and a thing; between a living thing or a commodified person (Esposito 2012b, 9–10). In ancient Rome, the one who did not own things, including slaves, could not be a person. An indebted human being who could not pay back his debt, could regress from a person to a thing: in his book *Two*, Esposito describes terrifying scenes where a debtor could be torn into pieces if there were several creditors, because each creditor had a right to a piece of the debtor's body (Esposito 2015a, 138–139).

For Esposito, biopolitics and liberalism are not opposite to one another as it may seem. John Locke and John Stuart Mill claim that the body is owned by the person who lives in it. The body is in any case a thing that cannot be a subject (Esposito 2012b, 92–93). If we compare Nazism and liberalism, in Nazism the body belongs to the state sovereign, and in liberalism it belongs to the person living in the body. Nazism and liberalism have in common a productivist world view: life serves either the faith of a chosen race or the maximal expansion of individual rights. In bioethics, which is related to the tradition of liberalism, the division of Roman law into a person and a human being is repeated. From this follows a gradation in bioethics from a full person to a "semi-person, non-person, and anti-person, represented respectively by the adult, the infant or disabled adult, the incurable ill, and the insane" (ibid., 13). In a similar way that the *paterfamilias*, the head of the family in Ancient Rome, had sovereign right over his children, the "personhood-deciding machine marks the final difference between what must live and what can be legitimately cast to death" (ibid., 13, see also ibid., 99). Esposito views as problematic the goal of bioethics to render the conditions of animals and humans more equal by lowering certain types of humans to the level of animals instead of elevating certain animals to be a part of humanity. Peter Singer breaks the boundary between humans and animals by arguing that the lives of certain animals are more valuable than the lives of certain humans, and at the same time he establishes a new, equally excluding boundary within the human race, where some are accepted as persons and others are not (Esposito 2015a, 135).

Esposito finds hope in non-personalistic thinking, or a thinking of a "third person" that is represented by for example Simone Weil, Alexandre Kojève, Gilles Deleuze, Michel Foucault, Maurice Blanchot and Emmanuel Levinas. Deleuze's systematic destruction of the category of the person is for Esposito linked with Kojève's "animal", Blanchot's "neuter", and Foucault's "outside" (Esposito 2012b, 15, 142, 104–151). The third person is linked to the impartial and neutral position of law as an outsider's position, a third party with respect to prosecution and defence (ibid., 16). Weil sees the impersonal in humans as sacred rather than the person in them. This makes possible the reconnection of humankind and rights, and the seemingly paradoxical idea of a common right becomes possible. Weil distinguishes *rights* that are connected to a person, and *justice* that is impersonal and anonymous (ibid., 101). Esposito describes the third person thinking as extending outside the logic of the person (ibid., 16, 103). In our Western

tradition that is rooted in political theology, it is especially hard to think about decision-making as something impersonal, because we are used to connecting it with the individual and the sovereign (ibid., 18–19). Esposito suggests that it is necessary to exit from this tradition that has unified the world by subordinating the weakest (Esposito 2015b, 15).

After this exposition of the concept of the person, I will now return to Hobbes and personhood. Esposito places Hobbes in the same Romanistic tradition with Hegel and Carl Schmitt, which is different from the one Locke and Kant represent. For the Hobbesian tradition, the sovereign decision made by the concrete person of the monarch is essential. Hobbes recognizes subjects who are making a founding covenant of the state as "subjects of their own subjugation and therefore as objects of the one subject who is fully endowed with a personal status – in other words, the sovereign himself" (2015a, 8).

Esposito, perhaps surprisingly, sees Hobbesian theory as a step towards a process of depersonalization in a transition from a world empire to national states: "The displacement of the law from the sacred ground of *veritas* to the profane ground of *auctoritas*, confirmed by Hobbes, constitutes a first tear between authority and power that heralds the even more pronounced disconnection to come" (Esposito 2015a, 40). Hobbes reunites decision and person in the secular sphere (ibid., 41, 10.). For Hobbes, a person is disconnected from a human being: a thing or an institution can also have a personhood (ibid., 107; Esposito 2012b, 84; Esposito 2013a, 116). Esposito sees an intrinsic connection between the *dispositif of the person* and the sovereign paradigm (Esposito 2015a, 123; Esposito 2012b, 83–84). For Hobbes, the "notion of the person is what introduces and defines that of the sovereign state", and a person can also represent another human being or a thing. And even: "it could be well said that the artificial person does not follow logically from the natural person, but the other way around. This is also because the representation of someone else is more directly evident than the representation of oneself" (ibid., 85). Hobbes's theory of sovereignty is constructed on the prevalence of the artificial person over the natural one. The sovereign is an artificial person who represents all other persons, and personhood is only possible in a sovereign state (ibid., 84–85).

Esposito notes a change in Hobbes's work in the use of metaphors: in *Elements of Law Natural and Political* Hobbes still uses the term body politic but shifts more to the use of the term person, "understood as that which unifies an otherwise dispersed multitude of human beings" (Esposito

2015a, 108; see also Esposito 2012b, 84). The individuals who created the Leviathan "are at the same time established as persons and deprived of personhood" (Esposito 2015a, 110). From the questions of personhood, I will next move to Esposito's alternatives to immunization.

3.4.5 An Alternative to Immunization

What does Esposito offer us instead of immunization? In the article "Community, immunity, biopolitics" he proposes rather concretely "disabling the apparatuses of negative immunization" and "enabling new spaces of the common". As the opposites of the common he presents the proper, the private and the immune: social ties are dissolved by appropriation, privatization, or immunization. The idea of the common good could be revived after the modern invention of the immunitary state shadowed it. Legal theorists and philosophers are working on the concept of the common good. The common is at risk from appropriation both by individuals and the state, and there are no legal statutes or codes to protect it. It was excluded from both modernization and globalization, and we even lack a vocabulary to talk about it. It is outside of the dichotomies of public/private and of global/local. First environmental resources were privatized, then city spaces, public buildings, roads and cultural assets, and finally intellectual resources, communication spaces and information tools. Esposito anticipates biological organs to be the next thing to be legally sold. Intertwined with privatizations, there is a reverse tendency in the globalization of "making public" of the private, which diminishes the space of the common further. The expansion of the space of the common and the battle for affirmative biopolitics would mean, for example, fighting against the privatization of water, battling over energy sources, and re-examining the patents that prevent the distribution of cheaper medicines in poor areas (Esposito 2013b, 88–89). Esposito calls for "the protection of those who are weakest in social, cultural and generational terms" (ibid., 87) and opposes "dividing barriers, blocks to the circulation of ideas, languages, and information, surveillance mechanisms set up in all the sensitive places" (ibid., 88). Esposito is not entirely clear in his division of the proper, the private and the immune as the three opposites of the common: it seems that two, the proper and the private, can be immunized, so the existence of the immune as a separate category does not seem justified, and also the difference between the proper and the private is not explained in his otherwise thorough and clear article.

In *A Philosophy for Europe*, Esposito notes that the European Union has not been able to absorb the sovereignty lost by its member countries. Migratory flows are a biopolitical question: "Perhaps for the first time since World War II, the drastic options available to European governments for dealing with mass immigration have placed politics in direct contact with the biological life of millions of human beings in flight from their homelands, devastated by war and hunger." Terrorist attacks have also placed the questions of life and death in the centre of politics (Esposito 2018, 3). As for globalization, Esposito makes critical remarks and notes the symbolic affinities in the philosophical discourse between the state of nature and the chaotic and ungovernable world of globalization but ends up by saying that immunitary resistance to globalization would be futile (Esposito 2013a, 46, 131–133), which takes him in the direction of Hardt and Negri and their affirmation of the global empire. Esposito describes globalization as technology "spread out in a planetary power that meets no resistance or difference that it doesn't make part of itself or subsume within its own model" (ibid., 46). This idea of a world with no outside is common with Agamben and Negri. Altogether, Esposito seems to be moving away from Agamben's pessimistic biopolitics towards Hardt and Negri's more positive one (Tierney 2016, 55). Ulbricht, however, argues that Esposito distances himself from both Agamben and Negri: not renouncing the historical dimension as Agamben does, nor collapsing the philosophical into the political, as Negri does (Ulbricht 2015, 15).

3.5 CONCLUSION

The end of violence promised in Hobbes's model is not fulfilled because violence and the state of nature which is a state of war for Esposito remain in the order created by the sovereign. Esposito criticizes the Hobbesian origin of the state that destroys the *communitas*, and the intersection between the sovereign paradigm and *dispositif* of the person. Esposito opposes several aspects of the Hobbesian paradigm, especially his use of the body politic metaphor and his immunitary model, where people give the power to the sovereign in order to protect themselves but at the same time lose connection to other people (see also Ulbricht 2015, 46). Esposito's alternative is to think of a world with no outside, which would more closely resemble flesh that is situated all over with no borders than a clearly defined body. As a

model of non-exclusive immunization on a biomedical level, he presents a pregnant mother's immune system which allows the embryo to grow despite the possibly different blood group (Esposito 2014, 18, 169, 171, Ailio 2017, 65–66), or an implant that is foreign to the body but which the body can tolerate (Esposito 2014, 147–149, 167). Esposito can be described as a pacifist[26] on two levels: he emphasizes the new biological interpretations of the body's immune system which are not as defensive and military as earlier biological research showed (Esposito 2014, 154), and he is against war in the Hobbesian scheme of forming a state. Esposito raises immunization, sacrifice, and protection as the main Hobbesian ideas, all of which are problematic for him. Immunization and protection are ideas which Hobbes himself would probably accept, but the idea of sacrifice of the common which is needed for protection is more Esposito's interpretation of Hobbes than an original Hobbesian idea.

Esposito insists on the link between modernity and self-preservation, and he voices his preference for a more communitarian way of organizing society which is not based on self-preservation. It is possible to see here a certain nostalgia for the communitarian premodern in his thinking. This claim, however, is contradicted by his positive view on genetic engineering and similar techniques raised by Serafini (see 3.1.5), and especially by his non-identity-based, fluid and borderless view of the community, for which we can hardly describe Esposito as a political reactionary.

There seems to be a contradiction in how Esposito, on the one hand, writes in *Immunitas* that Hobbes destroys the nothing that is for him at the core of the community, and on the other hand, in *Bíos*, that immune "is the 'nonbeing' or the 'not-having' anything in common". Esposito himself claims that community is the community of people who do not have anything in common, and he accuses Hobbes of immunization, which leads to not having anything in common – the same condition that he gives as the ideal situation of a community.

Despite this contradiction, Esposito's analysis that immunization has a Hobbesian origin (at least partly) in the history of political thought is in my view convincing since it helps to understand the controversies in, for exam-

26 However, Esposito is in favour of arming Europe as a part of its political unification process: "In order to defend, even in the face of more aggressive strategies, a model of civilization based on peaceful relations, Europe needs to equip itself with a military force, which is to be used only as a last resort, to uphold its principles and interests" (Esposito 2018, 229).

ple, the Nazi regime that murdered on an industrial scale and at the same time made great efforts to ensure public health by starting programmes to enhance health and safety (Esposito 2013a, 79–83, Ailio 2017, 36). Also, the way in which European politics is dealing with immigration, mostly trying to limit it due to pressure from extreme right parties, is a good example of immunitary politics. On a more general level, the role of institutions liberating us from community ties is well described in Esposito's account of the Hobbesian contract society. Most of all, the value of Esposito's work lies in conceptual elaboration rather than in practical advice. He writes that he does not believe that philosophy's task would be to offer models of political institutions or that biopolitics could become a revolutionary or reformist manifesto (Esposito 2013a, 77). In an interview he says he has adapted a Deleuzean view, "according to which the primary character of philosophy is that of constructing concepts that can keep pace with the events that involve and transform us" (Esposito 2006, 52). Esposito's concept of the impersonal and the *dispositif* of the person leads to interesting connections between political theory and thinking on subjectivity, which is usually considered to be a separate field of philosophy.

I will next turn to the third and probably the best-known Italian theoretician of this dissertation, Antonio Negri.

4. Antonio Negri, Global Civil War and Hobbes

Abstract

Antonio (Toni) Negri's aim is to overcome sovereignty in order to achieve peace and global democracy. According to Negri, we live in an ongoing global civil war in a world which has no outside. This war often presents itself as policing. Empire comes into being through war. Both Hobbes and Negri search for an exit from civil war – for Negri, war in a globalized world is, by definition, a civil war. The Hobbes-inspired aspect of Negri's ideas is the transfer of sovereignty from the nation-state to an imperial, global sovereignty, a different movement from Hobbes's transfer of sovereignty from the people to the sovereign. We can say that both Negri and Hobbes agree that the sovereign is dependent on his subjects.

Hobbes and Negri both use the concept of multitude but see it in a completely different light: for Hobbes, it is a dangerous and rebellious entity which should be organized into a people under the sovereign, and for Negri, it is an emancipatory subject or class in the world of Empire, capable of transforming Empire and making it more democratic. Negri criticizes Hobbes for giving a central role to property in the concept of the people. Unlike the people, the multitude is too fluctuant to be represented or to be unified. The multitude has a clear link to production, and not just the production of goods: Negri describes it as "biopolitical labour" which also produces relations and social life, and which can go on strike.

The commentaries on Antonio Negri which I discuss concentrate on Michael Hardt's and Negri's book *Empire*, which received wide attention both in academic circles and from the mainstream media when it was published in 2000. There is also literature that sees Negri's theory as a political tool for activism.

War is an essential concept for both Hobbes and Negri: Hobbes is trying to escape from the war of everyone against everyone in the state of nature, and Hardt and Negri are also searching for an exit from a generalized global condition of war. In this chapter, I will analyse Antonio Negri's antagonism with Thomas Hobbes as well as the way that Negri uses Hobbesian concepts in his own political works. I will show how Negri's idea of civil war is different from Hobbes's and finally, that they both aim to end war. The difference lies in who can end war: for Negri, it is the multitude, whereas for Hobbes, the unorganized Multitude is a potential cause for war, and the sovereign is needed to end war. Negri claims that Hobbes's solution for ending the war leads to total alienation of freedom in obedience to the sovereign. First, in part 4.1, I will present some commentaries on Negri, and more widely criticism that Michael Hardt's and Antonio Negri's renowned book *Empire* received soon after its publication in 2000. In 4.2, the theme is the transfer of sovereignty that both Hardt and Negri claim is happening from the national level to the global level, the level of "Empire", which in their view comes into being through war. In 4.3, I will approach the differences between the way in which Hobbes and Negri view the multitude and how this reflects their ideas about the state. In the conclusion (4.4), I investigate for the main differences between Negri and Hobbes and their implications for Negri's political philosophy. My analysis will concentrate on the concept of war in Negri and Hobbes, which has not been widely discussed in the commentaries I have found. I claim that Negri, like Agamben and Esposito, believes we live in a permanent state of war. He finds the Hobbesian sovereign has been transformed into a global sovereign which, unlike Hobbes's thought of the sovereign, is not capable of ending war but rather needs war to sustain itself.

Of the general themes of the thesis, namely war, nature, power and community, war and power are most present in this chapter. The theme of community can also be found in Hardt and Negri's idea of the Multitude, but it is debatable whether an omnipresent global Multitude forms a community.

Negri places Hobbes in the same line of thought with Rousseau and Hegel, and against Machiavelli, Spinoza and Marx.[27] In Negri's books on Spinoza (Negri 2013a, 2013b), Negri seems to attack Hobbes in order to emphasize Spinoza's superiority, whereas in the books written together with Michael

27 The difference between Spinoza and Hobbes may be smaller than Negri claims (Meiksins Wood 2003, 75–76).

Hardt, such as *Multitude*, Hobbes's *De Cive* and *Leviathan* are elevated into the status of model works, although for a reverse development: from a global form of sovereignty into an emerging global class formation. They raise the Multitude despised by Hobbes into a new, hopeful subject. According to Hardt and Negri, Hobbes uses the lack of property as a criterion to expel the poor from the people as an exclusive entity, and this exclusive entity constitutes political order.[28]

Negri has been active in many radical leftist social and political movements since at least the 1960s, resulting in a long imprisonment in 1979–1983, in being elected to the Chamber of Deputies in 1983, in exile in France 1983–1997, and under house arrest in Rome until 2003. Negri was one of the founding members in the extraparliamentary group Potere Operaio, which demanded workers' autonomy especially in big factories (Murphy 2005, x, xx–xxii, Bull 2003, 83, Boron 2005, 108–110). He still actively comments on politics on Italian television and in the press. After his house arrest ended in 2003, he travelled around the world to give lectures about his philosophy and about the books he had recently published with Michael Hardt, notably *Empire* and *Multitude*. Many of these lectures are collected in *Empire and Beyond* (Negri 2008b).

4.1 COMMENTARIES ON AND CRITIQUE TOWARDS NEGRI (AND HARDT & NEGRI)

Hardt and Negri's *Empire* has gathered both criticism and praise after the widespread publicity it received after its publication in 2000. Attention has come from both mainstream and radical perspectives (Panitch & Gindin 2003, 52). The collection of articles containing the most critical articles was *Debating Empire*, edited by Gopal Balakrishnan (2003), where several writers point out empirical weaknesses and errors that the writers of *Empire* have made. The editor Balakrishnan calls *Empire* a "myth of empowerment, offering consolation to oppositional desire, in place of a sober political realism" (Balakrishnan 2003, ix), but he also writes that *Empire* is a bold attempt to capture the latest phase of the development of the United States

28 Gregory S. Kavka has made a contrary claim: for him, Hobbes is in favour of a guaranteed economic minimum, and thus he favours the inclusion of the poor in the state (Kavka 1986, 210–212).

as a hegemonic "military hyperpower, a model of both unalloyed capitalism and multicultural accommodation, a mass culture with nearly universal appeal", bringing the analysis to a regional level instead of the global level primarily advanced by Hardt and Negri (Balakrishnan 2003, xix). Atilio Boron's *Empire & Imperialism* (Boron 2005) is very critical of *Empire*. A more positive view is given in *Resistance in Practice: The Philosophy of Antonio Negri*, edited by Timothy Murphy and Abdul-Karim Mustapha (2005) and its sequel, *The Philosophy of Antonio Negri*, *Volume 2, Revolution in Theory* (2007). They put Negri's thought into the context of a "long '68" of the Italian countercultural movement, and their intention is to build a "truly global and democratic left" and an "inclusive logic of the multitude" based on Negri's thinking (Murphy & Mustapha 2005, 2–3). The first of these two books, *Resistance in Practice*, seems to be written from the inside of the political movements where Negri has been active, with internal discussions and a detailed history of the movements. Neither of them makes direct references to Hobbes or to Hobbesian themes. Thus, they are outside of the scope of my research with the exception of Dyer-Witheford's article "Cyber-Negri" in *Resistance in Practice* that I will mention briefly in this part because it is related to how Negri sees the future of political organization after sovereignty. What is common to these commentaries is that they are political rather than philosophical and share a Leftist background with Hardt and Negri, but often disagree on whether the analysis in *Empire* advances the goals that are allegedly common (see, for example, Meiksins Wood 2003, 64). These Left-wing commentaries seem to be sharply divided into those for and against *Empire*. A concrete influence in protest movements is also noticeable. According to Callinicos, the *Tute Bianche* ("White Overalls") in the protests against the G8 meeting in Genoa in 2001 were deeply inspired by Hardt and Negri's *Empire* (Callinicos 2003, 122). A view that Negri's previous work was valuable but not the work written together with Michael Hardt can also be found (e.g. Boron 2005, 108, 124). A conservative critique of *Empire* and of Negri is imaginable, but I have not yet found examples of it in the academic literature.

Altogether, the commentaries on Negri in this part, 4.1, are very critical – perhaps unnecessarily so, possibly as a reaction to the mainstream media praise of Hardt and Negri's *Empire*. These critical commentaries focus almost exclusively on *Empire* instead of providing a more general view of Negri's political philosophy. Interestingly, I have not found a discussion of the European Union in the commentaries, apart from a very short mention

by Meiksins Wood about the EU being a challenge to US hegemony (Meiksins Wood 2003, 72). The EU, however, is clearly on an intermediary level between national sovereignty and the global level, which Negri has raised to an important role as a counterpower to the US leadership in the world in his talks (e.g. Negri 2008b, 86, 203). My contribution will be to analyse Negri's attitude to and uses of a classical political philosophy represented by Hobbes and his idea of war and the sovereign in chapters 4.2–4.4, which is a different point of view from looking at whether Negri's political analysis is correct or not.

4.1.1 Boron

Argentine professor Atilio A. Boron, like Negri, Agamben and Esposito, believes we live in a state of perpetual war, meaning humanitarian wars which he does not approve of because they are perpetrated in the name of corporate profits (Boron 2005, 6). He criticizes the concepts of empire and the multitude in *Empire & Imperialism: A Critical Reading of Michael Hardt and Antonio Negri*. He shares their critical view of capitalism and of neoliberal globalization but is afraid that their approach will lead to new defeats and give wrong directions for the movements that have taken their theory as an intellectual guideline. Boron prefers to speak of imperialism rather than of an Empire with a capital E and says Hardt and Negri have forgotten the devastating effects of imperialism on peripheral capitalisms. He claims that the attacks of 9/11 have challenged the core of Hardt and Negri's argument (Boron 2005, 1–2, 4–6). He considers that in *Empire*, Negri's former ideas about political philosophy have been distorted (ibid., 124), and that Hardt and Negri's theory of the state is radically mistaken (ibid., 100).

Boron sums up his critique with the following five points: 1) Hardt and Negri exaggerate the importance of the United Nations and international law and underestimate the role of imperial aggressions that have been going on, such as the invasion of Iraq by the US without a UN mandate. The Security Council is in the service of the biggest powers. 2) Their conception of the supposedly de-territorialized and decentred character of imperialism is mistaken. 3) Imperialism is not a thing of the past, as Hardt and Negri claim. Oil plays an important role in this current imperialism. 4) Hardt and Negri underestimate the old asymmetries such as distinctions between the metropolis and colonies in their thinking on transnational corporations in the capitalist world. Here Boron mentions a Hobbesian term "modern

corporate Leviathans" to describe planetary companies which, nevertheless, he points out, have a national base in their ownership and control, and thus they are not really as transnational as Hardt and Negri claim. 5) Social movements that are critical of neoliberal globalization are maliciously labelled anti-globalization movements by the capitalist press. These movements are somewhat different in their nature from what Hardt and Negri describe as the Multitude. The role Hardt and Negri give to Third World migrants moving to developed countries is overestimated[29] (Boron 2005, 8–10, 13–19, 27, 42, 46).Boron denies that Don Quixote or St. Francis of Assisi, appreciated by Hardt and Negri, would serve as inspirational political models (ibid., 20). He finds in *Empire* a mixture of North American social science and French philosophy, the outcome of which is "unlikely to disturb the serenity of the moneyed lords who year after year gather in Davos"(ibid., 23). The literature on imperialism is absent, especially that from the outside the French-American academic establishment. No writers are mentioned who apply historical materialism. *Empire* is "trapped in the ideological nets of the dominant classes", but despite all this criticism, Boron believes that the writers are "strongly committed to the construction of a good society and specifically, a communist society" (ibid., 23–26).

Boron points out that *Empire* contains inconsistencies – a criticism I share and will take up in subchapters 4.2–4.4. Empire is presented as both good because it is a step forward in overcoming colonialism and imperialism, and it enhances the potential for the liberation of the multitude, but on the other hand it is bad because it "constructs its own relationships of power based on exploitation that are in many respects more brutal than those it destroyed" (Boron 2005, 30, Hardt & Negri 2001, 43).

Hardt and Negri's idea of modernity is too negative for Boron. For him, many of the horrors attributed to modernity have happened *during* modernity, not *because* of it. Hardt and Negri seem to have forgotten about individual liberties and relative equality in economic, social and political terms, and other steps in progress that modernity has also brought to the world (Boron 2005, 32).

Hardt and Negri's interpretation about the decline of national states and national sovereignty and about the advent of a new global sovereignty

29 The criticism on the overestimated role of Third World migrants as a factor of change is also taken up by Panitch & Gindin 2003, 57. See also Chapter 5, the Conclusion, in this dissertation.

in the form of Empire is not acceptable for Boron. For him, the idea of an omnipotent power governing all processes is altogether absurd. Even the most despotic states have some loopholes, let alone a global power (Boron 2005, 73–74). In reality, the weight of states in the national economies measured as the proportion of public expenditures to GDP has grown during the last twenty years prior to the publication of Boron's book, although anti-state rhetoric has been common (ibid., 77–78). Boron states that "The Hobbesian repressive functions of the state enjoy their vigour both in the periphery and in the centre of the system" (ibid., 82). He quotes Boaventura de Sousa Santos's idea about how the state offers different sides to its different citizens, evoking Hobbes and Locke: "in the social apartheid of contemporary capitalism the state continues to perform a crucial role: it is the Hobbesian Leviathan in the ghettos and the marginal neighbourhoods while it guarantees the benefits of the social Lockean contract for those who inhabit the opulent suburbs" (ibid., 83). The state is divided but not extinct (ibid., 83). In the concept of the multitude Boron finds only poetic value but does not disagree with Hardt and Negri's claim that global citizenship is required. He sees it as unrealistic, though, because the channels of participation on a global level are non-existent. He equally agrees with Hardt and Negri's demand for a social wage and for a guaranteed minimum income and writes that this practically already exists in Sweden, for example, but that on a large scale the opposition from the capitalist classes would be too strong to implement it (ibid., 87, 89, 91–92). The writers idealize the US Constitution which in reality was put in place to guarantee property rights (ibid., 93–94).

Boron sets revolution and emigration against each other and sees Hardt and Negri siding with emigration: "Against the powers of the bomb, the money, language and images, there arises a Third World 'hero' who instead of embracing revolution selects emigration" (Boron 2005, 103).

Boron criticizes *Empire* for not being concrete enough about why and how a new kind of society should be built: "[…] *Empire* leaves the reader without answers as to why the men and women of the empire should rebel, against whom, and how to create a new type of society" (Boron 2005, 123). For Boron, the fact that "some of the most select intellectual bastions of the bourgeoisie, such as the *New York Times*, *Time* magazine and the *Observer* of London", and *La Nación* in Argentina have praised *Empire*, is a sign that the book is compatible with the dominant ideology and thus is unable to change anything (ibid., 122–123).

Negri claims that we live in a perpetual, global civil war, and Boron's argument is in some respects similar. He too thinks we are in a state of war, but his further analysis of why this is so differs from Negri. Above all, Boron does not think it is a *civil* war, because the nation states are much stronger than Negri believes. For Boron, the idea of a global Empire is not credible.

Next, from subchapter 4.1.2 to 4.1.11 the commentaries are from *Debating Empire*.

4.1.2 Rustin

In *Debating Empire*, edited by Gopal Balakrishnan, Michael Rustin looks at Hardt and Negri's thesis about immaterial production taking power from the owners and controllers of material resources. Rustin claims that Hardt and Negri are anarchists despite labelling themselves as libertarian communists: "Most forms of state power, in their view, alienate the autonomy of subjects and crush their creative power." Hobbes is to blame for this alienation. In the history of European political thought, especially the "British empiricist tradition, with Hobbes at its centre, was particularly lethal in its consequences for the idea of creative self-rule, since it posited the necessity for the delegation of human powers for the preservation of peace and security" (Rustin 2003, 3).

Rustin mentions the two traditions of international governance that Hardt and Negri distinguish: the order of sovereign nation-states, and the idea of perpetual peace defined by Kant – a universal order governed by common norms which are above the sovereign commands. Hardt and Negri claim that the Kantian order is gradually becoming reality since the economic order is becoming more global. The role of the UN, of non-governmental organizations and of international law is important in this development. For Rustin, the United States is presented in *Empire* as "a form of post-sovereign government, in which 'the multitude' expresses its powers through different contesting and complementary agencies", which he sees as a preposterous description (Rustin 2003, 6–7).

Rustin is worried about the pessimistic alternative to Hardt and Negri's creative and cooperative multitude: what if the homogenizing factors have instead created an atomized mass society which is vulnerable to the manipulation from above? (Rustin 2003, 8). Hardt and Negri are hostile to the principle of authority altogether, and therefore they cannot accept any

positive political programme[30] (ibid., 9). Rustin sides with Hobbes for a moment. He claims that although 'progressive' social thinking cannot accept the Hobbesian account of the state of nature for being too focused on the destructive potential of human nature, the Hobbesian state of nature can describe a reality of "what can happen if destructive forces are given full reign and no authority exists to contain them" (Rustin 2003, 12). This is also my concern about excessive criticism against Hobbes and against sovereign authority. In some situations, a certain amount of authority is needed to prevent chaos. Rustin presents Hardt and Negri's thinking as an example of Melanie Klein's psychoanalytical splitting of good and bad, namely placing all destructive forces in external authorities and all creative powers in subjugated individuals, demonizing authority and idealizing its opponents (Rustin 2003, 12).

Rustin also claims that Hardt and Negri underestimate the dominating power of capital and the problems it poses to having an inclusive and generous society they would like to see. He is worried that the lack of structures does not lead to an expansion of freedom but to "intensified levels of anxiety, expressed as hostility towards foreigners, enemies, migrants, differences of all kinds" (Rustin 2003, 15). This today seems to be even more of a worry than when the commentary was written.

Rustin's remark on the alienation of subjects, starting from Hobbes, is by a detour related to my argument on Negri believing we are in a global state of war, contrary to the Hobbesian idea where the sovereign would put an end to war. The alienated subjects who have given power to the sovereign may not be at war. Rustin is partly defending Hobbes against Hardt and Negri by reminding us of a pessimistic alternative to the cooperative multitude: if no authority exists to contain destructive forces, we may be in trouble. I will return to this possibility in my conclusion, Chapter 5.

4.1.3 Aronowitz

Stanley Aronowitz presents the paradigm of Empire as a system to move power from the national to the transnational level, to create enforceable international law where "the institutions of Empire take precedence over formerly sovereign states", and act at the same time as world court and as

30 In *Assembly*, Hardt and Negri write that the multitude can never be a sovereign since it is not one but many (Hardt & Negri 2017, 26). This seems to confirm Rustin's analysis.

policeman (Aronowitz 2003, 20). Hardt and Negri believe that globalization is the solution to the crisis of the welfare state and free market "religion", accelerated especially by Ronald Reagan. The nation-state is no longer independent in this system. Aronowitz sees *Empire* as a "bold move away from established doctrine" but holds that the reality of protest movements does not endorse Hardt and Negri's theory of the non-definable multitude. In the anti-WTO protests in Seattle and in anti-IMF and World Bank protests the demonstrators were from definite social groups: the labour movement, students and environmentalists (ibid., 2003, 21–24).

4.1.4 Tilly

Charles Tilly writes a short and exceptionally harsh account of *Empire*. He argues that Empire "advertises itself as history's eternal end" but, according to Tilly's analysis, the dialectic does not end, because the multitude will transform the imperial means of control. Hardt and Negri make a serious statistical error in claiming that nineteenth-century Atlantic migrations were "Lilliputian" compared to those in the late twentieth century, whereas in reality, the proportions are inverse, and the nineteenth-century migrations were much bigger in numbers. Tilly considers that Hardt and Negri's idea of a tightly controlled web of Empire is far removed from the reality of a fragmented, unequal and conflictual world (Tilly 2003, 26–27, for the numbers, see also Arrighi 2003, 33). Here we could say that Tilly takes a stand against Hardt and Negri's partly Hobbesian idea of a sovereign world Empire by emphasizing the fragmented and non-controllable nature of the global world and possibly the global as a state of nature.

4.1.5 Arrighi

Giovanni Arrighi writes that "most problems arise from Hardt and Negri's heavy reliance on metaphors and theories and systematic avoidance of empirical evidence". For example, speculative and financial capital is not going to where the cost of labour is lowest, for most capital flows move between wealthy countries (Arrighi 2003, 32–33). Hardt and Negri are not paying attention to the growing importance of Asia in the global economy (ibid., 40). Arrighi writes that Hardt and Negri offer global citizenship as an important element of the political programme for empowering the multitude, together with a social wage, which he sees as overly optimistic,

although he agrees with the idea of having no nostalgia for earlier power structures of capitalist development (ibid., 31–32). Arrighi affirms the idea of transfer of power and sovereignty from the state level to the global level, to a world state, somewhat similarly to Hardt and Negri, but is sceptical of their extensive reliance on theory. He writes that he had reached similar conclusions as the central thesis of *Empire* starting from different premises and following a different line of argument in his works such as *The Long Twentieth Century* (1993) (Arrighi 2003, 34–36).

4.1.6 Seth

Sanjay Seth describes the aim of Hardt and Negri as not being very different from Marx's communism (Seth 2003, 43). He also offers an explanation why their relation to Empire seems ambivalent: they claim that "Empire is better in the same way that Marx insists that capitalism is better than the forms of society and modes of production that came before it" (Hardt & Negri 2001, 43, Seth 2003, 44). Seth explains that the multitude is an expanded notion of the proletariat, which struggles against Empire to end all forms of exploitation. He holds that many of the struggles that Hardt and Negri mention are unconnected and sometimes not very radical, and that their argument is not backed by evidence (Seth 2003, 44–45). Seth argues that Hardt and Negri's idea of Empire, which originated in Europe and in North America and then became global, is part of an argumentation which is common in international relations, namely that something which began in Europe ceased to be specifically European when it reached a global level (ibid., 47).

Seth's account of the ambivalence of Empire helps to understand why Hardt and Negri seem to be indecisive about whether Empire is good or bad. I will come back to this question in subchapter 4.3.1. The question of Empire is related to my argument, because Empire is the global level which Hardt and Negri deem to be at war.

4.1.7 Panitch & Gindin

Leo Panitch and Sam Gindin give attention to the new regime of production which Hardt and Negri propose besides the new political order. Hardt and Negri believe that the most effective resistances and alternatives to the power of Empire arise in the realm of production, so for them the economic

and the political are interlinked (Panitch & Gindin 2003, 54). Panitch and Gindin see here a certain technological determinism, where "the economic contradictions of Empire are now directly located in the sphere of production", and work is growingly characterized by knowledge, information, affect and communication rather than the old industrial model. The analysis is concentrated on the service sector. Panitch and Gindin pose the question whether the change in work has really resulted in a new consciousness and a 'new' working class. They say that this vision overly valorizes the power and creativity of the American working class, which is said to express "most fully the desires and needs of international or multinational workers" (Panitch & Gindin 2003, 54–55). Panitch and Gindin disagree with Hardt and Negri's claim that they aim at transforming Empire. Rather, the project is (only) about resistance to Empire, which Panitch and Gindin see as our collective failure to implement (ibid., 58).

4.1.8 Meiksins Wood

Ellen Meiksins Wood accuses Hardt and Negri of having written a "manifesto on behalf of global capital" which contains an argument for the "futility of oppositional politics". Power is said to be everywhere and nowhere, and it is possible to attack it from anywhere, but the concrete meaning remains unclear (Meiksins Wood 2003, 63). *Empire* does not seem to take into account the coercive power of the state and its power of economic intervention. For Meiksins Wood, the state "remains the single most effective means of intervention" in the global economy (ibid., 65). Although the economy often functions on a global level, it is dependent on the state "to supply the ultimate coercive force that capital needs but lacks" (ibid., 67, 80). In the globalized economy, states have become even more involved in the management of the economy (ibid., 81). Suggesting that the coercive functions of the state have moved to other levels is denying the realities of power. Rather than a new global sovereignty, we live in a "global system of multiple states and local sovereignties", where the ultimate guarantee is the military force of the United States, the only remaining superpower (ibid., 69–70). Meiksins Wood suggests that the military actions of a superpower are outside the scope of Hardt and Negri's theory, which treats all wars as civil wars (ibid., 71). Meiksins Wood describes the situation differently: the new imperial form connected to the US requires a Hobbesian state of war, an endless *possibility* of war (ibid., 71–72). She suspects that the power of

the multitude is just a philosophical abstraction. She compares Hardt and Negri's idea of the multitude to Hobbes's: for Hobbes, sovereign power is also constituted by the multitude, but the only political act the multitude is capable of is to submit unconditionally to the sovereign power (ibid., 73–74). Finally, from the point of view of democracy, Meiksins Wood does not see a big difference between Hardt and Negri, and earlier theoretical views such as Hobbes's: "the conception of popular sovereignty outlined by Hardt and Negri turns out to be hardly less notional and immaterial than the 'popular sovereignty' that underlay some earlier conceptions of absolutist monarchy" (ibid., 75). She also claims that Hobbes's and Spinoza's (whom Negri sees as radically different from Hobbes) views are not that different from each other. Spinoza's view was that "each has as much right as he has power", a principle that can be used to justify republican government as well as tyrannical monarchy (ibid., 75–76, see also Bull 2003, 86).

Meiksins Wood's argument about the importance of states has many similarities with Boron's, so the comments I made in subchapter 4.1.1 on this matter also apply here. For both Meiksins Wood and Boron, we cannot say we are in a global *civil* war, because a global level of sovereignty is non-existent. Meiksins Wood's claim that from the point of view of democracy, she does not see a big difference between, on the one hand, Hardt and Negri, and on the other hand, Hobbes, is remarkable from the point of view of my argument, which instead emphasizes the difference between Negri and Hobbes. She sees a Hobbesian base in the imperial hegemony of the US, which needs an endless *possibility* of war.

4.1.9 Bull

Malcolm Bull sees Hardt and Negri's view of sovereignty as optimistic: for them, sovereignty is "nothing that a few like-minded people cannot create for themselves" (Bull 2003, 85). Action that may seem like mob violence is counter-Empire in the making. Bull places Hardt and Negri in the libertarian camp despite their anti-capitalism (ibid., 90). He claims that they (unsuccessfully) try to minimize the role of the United States in the world (Bull 2003, 93).

I will discuss Hardt and Negri's optimism in relation to the power of the multitude to change the world of permanent war in Empire in subchapters 4.3, 4.4 and in Chapter 5.

4.1.10 Brennan

Timothy Brennan also pays attention to how the influence of the United States is downplayed in *Empire*. He writes that Hardt and Negri's view on the new forms of identity which imperialism has unleashed fits well with the perception that America's global influence has been largely positive, and this is reflected in the positive mainstream media coverage of the book (Brennan 2003, 98). Brennan finds similarities between Hardt and Negri's view and how *The Economist* or *Wall Street Journal* write about the triumph of immaterial work. He sees the change in the nature of work moving in an informatized and immaterial direction as common knowledge, and concludes that Hardt and Negri's notion that a change was freeing the biopolitical sphere and facilitating the refusal of work is unfounded. In Italian thought more generally, refusal becomes a substitute for organization (ibid., 100–102; for a discussion on the difference between the traditions of self-management and refusal of work, see Prozorov 2007, 133). Brennan notices a theological tone in *Empire*, page 43: "The multitude called Empire into being." He explains that Hardt and Negri understand globalization as a movement from below, from the student and working-class movements of the 1960s and 1970s. He questions that "the unemployed, the de-skilled, the reified, the politically disenfranchized and the mercilessly propagandized" called Empire into being and also questions the reasons given for why they did so (Brennan 2003, 106, 115). These are excellent questions and yet they are left unanswered in *Empire*. They are also essential to my argument on the permanent state of war: if there is no motivation for the multitude to cooperate and overcome the state of war in Empire, Negri's idea of how to end the permanent state of war loses its foundation. For Brennan, the state is not "the enemy of revolution" in the way it is often demonized in contemporary cultural theory (ibid., 114–116).

4.1.11 Callinicos

Alex Callinicos laments that *Empire* does not offer strategic guidance and that Negri's influence is an "obstacle to the development of a successful movement against the global capitalism whose structures he seeks to plot in *Empire*" (Callinicos 2003, 136, 140). For him, Negri is the "foremost philosopher of Italian autonomism", and his influence in the anti-capitalist movement around 2001 was considerable (ibid., 122). It can certainly be claimed that the Hobbesian state idea is questioned in this movement in

the same way that Negri questions it. Callinicos describes how Negri writes about Marx's equation of the state with the capital (ibid., 129). Here being anti-state coincides with being anti-capitalist. Callinicos thinks Negri's view of history is curiously abstract: "the multitude eternally confronts capital irrespective of the specific conditions". The multitude is an anonymous mass without a definite social location. For Hardt and Negri, immigrants and refugees have a special role in the multitude, and they see "desertion, exodus and nomadism" as a democratic force, which Callinicos doubts (Callinicos 2003, 136, 138).

4.1.12 Jakonen

Mikko Jakonen notes in his doctoral thesis that a new theoretical discussion on the concept of the multitude started after the publication of *Empire* in 2000. The book reinterpreted several classical political concepts. Jakonen suggests that Hobbes's theory was significant in Hardt and Negri's discussion of these concepts and explains that for them, "the principle of sovereignty is opposed to the principle of the multitude". The concept of the people is connected with sovereignty. Jakonen claims that Hardt and Negri distinguish the multitude and the people as sharply from each other as Hobbes does, but have different views of what the multitude means: for Hobbes it is something that has to be organized within a state, because it represents a threat, and for Hardt and Negri, it is "all free, communist and democratic tendencies that are captured by the capitalist state-machine, the transcendent sovereignty". In Italian theory, Paolo Virno[31] has a similar view on the multitude as Hardt and Negri (Jakonen 2013, 41–43). I agree with Jakonen's distinction between the people and the multitude in Hobbes's and Negri's thinking and will come back to it in subchapter 4.3.

4.1.13 Prozorov

Prozorov has analysed the inherent paradoxes of Hardt and Negri's concept of Empire in a chapter of his book *Foucault, Freedom and Sovereignty*. He points out their excessive optimism ("all that is required for the liberation of the multitude is the assault on the transcendent sovereignty of Empire",

31 Virno wrote a book entitled *Grammatica della moltitudine* in 2001; in English *A Grammar of the Multitude* (2004).

Prozorov 2007, 129) and claims that Empire and counter-Empire are one (Prozorov 2007, 128, 138–139, 141). Emancipation from Empire seems both attractive and implausible (ibid., 125). He equates Empire with the Lacanian big Other, which does not exist (ibid., 143). There is a conflation of sovereignty and biopower in the figure of Empire: Hardt and Negri's emancipatory project becomes coincidental with the biopolitical Empire that it targets (ibid., 125, 104). For Prozorov, the "vision of a purely immanent self-organizing and self-governing community of men may be read as a *manifesto* of biopower rather than an articulation of resistance to it" (ibid., 132). The exploitation of the multitude in the "vampire" Empire can "proceed with no threat of refusal and no possibility of flight", and then "it is unclear how the ruled become autonomous, as the very line of flight towards autonomy is now foreclosed" (ibid., 138). It seems that autonomy or refusal are not real possibilities for Hardt and Negri, since the multitude is so closely associated with Empire.

Prozorov describes the aim of the concept of the multitude for Hardt and Negri as non-identitarian: it is an "emancipatory project that is explicitly designed as an alternative to any particularistic 'identity politics'", but Hardt and Negri give the multitude an identity although they would like to avoid it. Any rule, including self-rule, "must presuppose some positivity of order and correlate forms of identity" (Prozorov 2007, 135). The multitude is the subject of the biopolitical production of social life. There is a deep division in Hardt and Negri's thinking. The multitude is the only productive force for them, and Empire is a purely negative instrument of expropriation and exploitation (ibid., 134–135).

Prozorov's analysis of Empire being inseparable from counter-Empire seems to loosen some knots that one comes across when reading *Empire* and *Multitude*, especially if one tries to find what it is that the multitude should be emancipated from and how it could be achieved in practice. With regard to my argument that Negri believes we live in a state of global civil war, accepting Prozorov's point that Empire and counter-Empire are the same would mean that the Multitude is incapable of ending the global war because it is a part of it, or, alternatively, that the analysis of our being in constant war in Empire is not correct in the first place.

4.1.14 Dyer-Witheford

In *Resistance in Practice*, Dyer-Witheford writes about Negri's analysis of the Internet and about immaterial labour as a new phase of Negri's thought

after his phases of workerism in the 1970s and autonomism in the 1980s (Dyer-Witheford 2005, 136). He sees problems in the extensive definition of immaterial labourers given in *Empire*, possibly leading to an obstacle for organizing counterpower: "Analysis that puts under one roof multimedia designers, primary school teachers, machine operatives in a computerized car plant, and strippers – all of whom fall within the definition of 'immaterial labor 0.2' – may reveal valuable commonalities. But it can also cover up chasmic differences, fault lines of segmentation, veritable continental rifts that present the most formidable barriers for the organization of counterpower" (Dyer-Witheford 2005, 152). Dyer-Witheford finds a tension in *Empire* between its emphasis on immaterial labour[32] and a thesis that the resistance movements in different parts of the world cannot communicate with each other despite all the communication networks that are available (ibid., 154) – a point also taken up by Boron (Boron 2005).[33]

Dyer-Witheford's critique of the extensive definition of immaterial labourers – who construct the multitude – is similar to Brennan's (see subchapter 4.1.10).

4.1.15 An Overview of Literature on Negri

The commentaries on Negri seem critical about the role of globalization and about the decline of the state that he analyses. Many of them are against Negri's view that more globalization leads to more democratization and that the state is outdated. A left-wing apology for the state is a common answer to Negri's global and universal vision. Some find his language confusing – even to the point of accusing him and the new Italian thought more generally of being "poetics aimed at revising the meaning of the circuitry of production into the management of the self" (Brennan 2003, 110). Prozorov finds that Empire and counter-Empire are essentially the same (Prozorov 2007, 138,

32 Negri has further developed his analysis on the nature of labour, which has a connection to the forms of political organization, in for example *From the Factory to the Metropolis* (Negri 2018). Negri suggests that the new immaterial workers forming a multitude would take over the Empire, as he does in books written with Hardt.

33 In their booklet *Declaration*, Hardt and Negri analyse political protest movements on different continents in 2011 and there, contrary to *Empire*, they point out that these movements communicated with each other (Hardt & Negri 2012, 4). No leader could be found in many of these movements (ibid., 5). In, for example, the Spanish *Indignados* movement, which refused representation, it was more a question of destituent than constituent power (ibid., 46–47, 52).

141). Many say that Negri undermines the role of the United States in the world, and at least one critic (Arrighi 2003, 40) that he forgets the growing role of Asia in the economy. Meiksins Wood makes an interesting claim about Negri and Hobbes not being that different from each other. I agree with her in the sense that I argue that Negri and Hobbes both aim to end war, but mostly I point to their differences rather than their similarities.

In the next part, I will move to my own reading of Negri and the Hobbesian themes he is writing about.

4.2 A TRANSFER OF SOVEREIGNTY FROM THE NATION-STATE TO AN IMPERIAL SOVEREIGNTY

> "The theory that leads from Marsilius of Padova to Hobbes and from Althusius to Schmitt is finished. *Empire* is the new theoretical threshold." (Negri 2008a, 12)

> "The theory of Empire is the new capitalist theory of the division of labour, and *also its critique*." (Hardt & Negri 2008b, 192, emphasis in original)

> "The revolutionary monster which is called multitude and which appears at the end of modernity seeks continually to transform our flesh into new forms of life." (Negri 2008a, 118)

In this subchapter, I will examine how Negri's idea of a transfer of sovereignty is linked to his idea of civil war. The war in a world without an outside, in the time of imperial sovereignty means for Negri less a war and more and more an action of policing.[34] Sovereignty is moving away from the national level towards imperial sovereignty. Empire has no outside, and global war is therefore a civil war. Negri explains that contrary to modernity, where war created order through peace, order is arrived at through a continuous promotion of war, and the enemy needs to be continuously reconstructed and reinvented (Negri 2008a, 132). Negri's aim is to overcome sovereignty

34 Mary Kaldor has pointed out a similar development in warfare in the age of globalization towards policing (Kaldor 2012). New wars are "a mixture of war, crime and human rights violations, so the agents of cosmopolitan law enforcement have to be a mixture of soldiers and police" (Kaldor 2012, 12).

altogether in order to achieve peace and global democracy rather than the ongoing global civil war.

Sovereignty is the main Hobbesian theme in Hardt and Negri's thinking. Michael Hardt and Antonio Negri claim that "sovereignty is shifting away from the nation-state and is going somewhere else", this "somewhere else" being an imperial sovereignty. The nation-state is transformed when some of its fundamental powers, such as the power to make war or mint currency are moved away from the state level (Negri 2008a, 3–4). They use the term 'postmodernity', which has not been widely used in recent years, to describe the stage after the sovereignty of the nation-states: "Sovereignty is control over the reproduction of capital [...]. In modernity, sovereignty resides in the nation-state. In postmodernity, sovereignty resides elsewhere (probably in Empire)" (Ibid., 33.). And: "We use the term Empire to refer to this *non-place* where the sovereignty that guarantees capitalist development at the world-wide level is concentrated" (ibid., 34). In their recent book *Assembly*, they connect sovereignty with the colonial mentality and point out that Hobbes uses the natives of America as an example of populations remaining in the state of nature (Hardt & Negri 2017, 25–26).

Hardt and Negri use the Roman Empire as a starting point for their concept of Empire: "We borrow the concept of Empire from the ancient Roman figure, in which Empire is seen to supersede the alternation of the three classical forms of government – monarchy, aristocracy and democracy – by combining them in a single sovereign rule" (Hardt & Negri 2008a, 80). In a talk Negri gave in Rio de Janeiro, Negri defines Empire as a process of constitution of sovereignty over the global market, and sovereignty as a relationship between those who command and those who obey (Negri 2008b, 8).

Empire has no outside, and not even the enemies are nation-states (Negri 2008a, 53). The only possible challenge to the absolute power of the Empire is suicidal actions: "When life itself is negated in the struggle to challenge imperial sovereignty, the power over life and death that the sovereign exercises becomes useless" (ibid., 54, see also ibid., 136 for the negative and positive resistances of bodies). Hardt and Negri write in *Multitude*:

> *A sovereign power is always two-sided:* a dominating power always relies on the consent or submission of the dominated. The power of sovereignty is thus always limited, and this limit can always potentially be transformed into resistance, a point of vulnerability, a threat. The suicide bomber appears here once again as a symbol

> of the inevitable limitation and vulnerability of sovereign power; refusing to accept a life of submission, the suicide bomber turns life itself into a horrible weapon. *This is the ontological limit of biopower in its most tragic and revolting form.* (Hardt & Negri 2005, 54, emphasis in original)

The writers note that there are limits to sovereign power. This is something that Hobbes, too, is saying in his own way: that the sovereign is always dependent on his subjects, on their authorization. For Hardt and Negri, the absolute limit of sovereign power in our days is the life of the subjects, which is logical when we think of the basic concept of biopower, according to which power has become administration and control of life also in the form of sustaining life instead of the old paradigm of sovereign which consisted of taking life away or letting live.[35]

The challenge to imperial sovereignty comes from the inside, not outside, which according to Hardt and Negri does not exist:

> In the very moment when Empire is formed, imperial sovereignty is thrown into crisis not because it is threatened by an external enemy (there is no more outside of Empire) but by a multitude of internal, omnilateral and diffuse tensions. Sovereignty is thus here a relative, not an absolute, power that functions on the hypothesis that it can resolve the multiple tensions and from time to time intervene in the spatio-temporal decompositions of the relations of force. (Hardt & Negri 2008c, 56)

Notably, this idea of the internal divisions that the sovereign overcomes with his absolute power, is also present in Hobbes (e.g. Hobbes 1985/1651, 374–375, where he writes about the great number of corporations being "another infirmity of a Common-wealth"), but the Hobbesian sovereign has a total power over its area and people instead of just "resolving multiple tensions".

Negri's aim is to overcome sovereignty altogether in order to achieve peace and global democracy instead of the ongoing global civil war. He wants to "transform the oppressive state of permanent war in which we find ourselves into a liberatory war which can eventually lead to an authentic social peace" (Hardt & Negri 2008c, 57, 59, see also Hardt & Negri 2012, 58).

35 See also Fillion's analysis of the difference between biopower and biopolitics in Hardt & Negri: "[B]iopower is what imperial sovereignty or Empire exercises as a 'power-over' the forces of social production of the multitude, which itself is becoming increasingly biopolitical through the development of immaterial labour" (Fillion 2005, 65–66).

The war in a world without an outside means less of a war and more and more an action of policing (Negri 2008a, 133; Hardt & Negri 2005, 39): "If peace is no longer distinct from war, then war and peace merge into one single matrix, which is biopolitics" (Negri 2008a, 134–135). And: "Empire produces war so as to create order, a new order arising out of the crisis of the nation-state and, above all, out of the antagonism that the multitude determines" (Negri 2008b, 18). Giorgio Agamben has a similar view with regard to the purpose and nature of war in our times. He claims that the state of exception, which is a state of war, is a way of producing sovereignty (Agamben 2005a, 2–3, Agamben 2015a, 2, 15).

In the next subchapter, 4.3, I will compare Negri's concept of the Multitude with Hobbes's idea of the Multitude and the people.

4.3 PEOPLE VS. THE MULTITUDE ANTONIO NEGRI'S ANTAGONISM WITH THOMAS HOBBES

I will next examine how Antonio Negri, often together with Michael Hardt,[36] develops his criticism of Thomas Hobbes's theory of sovereignty and the concept of the people. His concept of the multitude is central in this (see also Jakonen 2013, 41–42, discussed in subchapter 4.1 in this dissertation). The multitude is linked to Negri's idea of war, because he believes that "[t]rue opposition to war can only come about through affirming the primacy of the multitude in the production of subjectivity" (Negri 2008a, 137). Negri suggests that the multitude can end war, whereas for Hobbes, the unorganized multitude is a potential cause for war, and the sovereign is needed to end war. The concepts of Empire and multitude are intertwined and therefore they are both analysed: the multitude is something that moves within the Empire and is not tied to national boundaries. Prozorov has pointed out that dualism between Empire and multitude in Hardt and Negri's work is tied to the binary opposition between biopolitics and democracy: for them, Empire means expropriation, domination and violence, while the multitude is a force of resistance which enacts the possibility for a good life (Prozorov 2019, 8). Most often for Negri, the multitude is seen as a limitless actor, but

36 Negri has cowritten most of his books on the multitude and Empire together with Michael Hardt, and therefore Hardt is often mentioned in this chapter.

in some cases he gives it a definition based on occupations of its members or on a geographical delimitation. I will come back to these special cases later in the chapter.

Michael Hardt and Antonio Negri write in the preface to their book *Multitude*: "We conceive the movement from the one book to the other, from *Empire* to *Multitude*, as the reverse of Thomas Hobbes's development from his *De Cive* (published in 1642) to *Leviathan* (1651)." They explain that our historical moment reverses that of Hobbes's time: in the 17th century the nascent bourgeoisie needed an authority above it since it could not guarantee social order whereas now the emerging class, the "multitude", is free from such needs. Moreover, the order of things has altogether changed, and the multitude is creating an alternative global society: "Whereas Hobbes moved from the nascent social class to the new form of sovereignty, our course is the inverse – we work from the new form of sovereignty to the new global class" (Hardt & Negri 2005, xvii). Hardt and Negri ground the role of the multitude on its democratic potential (ibid., xviii), while for Hobbes, democracy did not have any particular value as long as peace and security were preserved.

For Hobbes, and also for Rousseau and Hegel, the multitude "was seen as chaos and war", in contrast to the people, which was an ordered entity (Negri 2008a, 114). Hardt and Negri explain the differences between the people and the multitude:

> The people is one. The population, of course, is composed of numerous different individuals and classes, but the people synthesizes or reduces these social differences into one identity. The multitude, by contrast, is not unified but remains plural and multiple. This is why, according to the dominant tradition of political philosophy, the people can rule as a sovereign power and the multitude cannot. [...] When the flesh of the multitude[37] is imprisoned and transformed into the body of global capital, it finds itself both within and against the processes of capitalist globalization. (Hardt & Negri 2005, 99, 101)

For them, the plural and multiple multitude is imprisoned within, and is also against, capitalist globalization. Hobbes presents the multitude in a different light, as those rebelling against the ones they are protected by:

37 For a discussion on the concept of the flesh, see subchapter 4.3.1 in this dissertation.

> … yet when many of them conspire together, the Rage of the whole multitude is visible enough. For what argument of Madnesse can there be greater, than to clamour, strike, and throw stones at our best friends? Yet this is somewhat lesse than such a multitude will do. For they will clamour, fight against, and destroy those, by whom all their lifetime before, they have been protected, and secured from injury. (Hobbes 1985/1651, 140–141)

For Hobbes, the multitude ceases to exist when it is represented:

> A Multitude of men, are made *One* Person, when they are by one man, or one Person, Represented; so that it be done with the consent of every one of that Multitude in particular. For it is the *Unity* of the Representer, not the *Unity* of the Represented, that maketh the Person *One*. And it is the Representer that beareth the Person, and but one Person: And *Unity* cannot otherwise be understood in Multitude. (Hobbes 1985/1651, 220)

Negri reproaches Hobbes for his possessive individualism and the central role that property plays in Hobbes's concept of the people. He writes that in the history of political thought, Hobbes is the one who places possessive individualism at the centre of the constituent process of modernity: "Hobbes sees individuals as being egotistical and appropriative. They are driven into relations with others not through love, but through fear and self-interest: individuals are continuously engaged in trying to resolve conflict in nature, necessary war, in their own favour" (Negri 2008a, 98–99.) The unrest continues until an agreement or contract guaranteeing peace and a way out of the state of war is established: "This contract has two elements. The first step consists in a transfer, or rather an alienation, of the power of individuals to a power that is transcendent and sovereign. The second step involves the defining of the powers of the central sovereign authority: its job is to guarantee the peace and security of individuals and property" (ibid., 99). Negri writes that Hobbes has an interest "both in sovereign power, as a product of the alienation of the natural rights of individuals, and in the structure and guarantees of property" (ibid., 99). Negri finds in Hobbes's thinking "an invocation of theology and of the presence of God (the Hobbesian system, which is very materialist, would not in itself require it) in order to guarantee, or rather absolutely overdetermine, the transfer of rights to the monarchy" (ibid.). In sovereignty in its monarchic form, political theology and property are linked together:

> Absolute monarchy is thus defined as God on earth, in other words as an absolute will which falls outside of any limits. […] *[T]he concept of the people appears in modernity as a production of the state* – 'people' understood as the ensemble of property-owning citizens (property is the fundamental *right*) who have abdicated their freedom in return for a guarantee of their property. […] In the traditional modern conception, the idea of 'people' preserves two Hobbesian characteristics: first, that of a transfer of sovereignty; secondly, that of the composition of the people as an ensemble of property-owning individuals. (Negri 2008a, 99–100, emphasis in original)

Hardt and Negri describe the still continuing link between God and the sovereign in *Assembly*: "The sovereign decision is always in some sense the judgment of god, a god on earth, whether the monarch, the party, or the people" (Hardt & Negri 2017, 26). In *Multitude* they write that all power which claims a unity of the people, or any unity of those who rule – including democracy and aristocracy – is monarchical (Hardt & Negri 2005, 329). Another reproach, besides the weight of property for citizenship and the theological model for monarchy in Hobbes, is that the concept of people for Hobbes and for the modern tradition is limited to a national space and representation on that level, whereas sovereign reality has moved to the level of Empire:

> The people can be sovereign only as an identity, a unity. […] [T]he key to the construction of the people is representation. The empirical multiplicity of the population is made an identity through mechanisms of representation […]. A bounded or measured multiplicity can be represented as a unity; but the non-measurable, the boundless cannot be represented. This is one sense in which the notion of the people is intimately tied to the bounded national space. (Hardt & Negri 2008a, 82)

"Imperial sovereignty" with its supranational economic institutions such as the World Bank, the IMF, and the WTO, "conflicts with, and even negates, any conception of popular sovereignty" (ibid., 83). Economic institutions follow a different logic from democratic institutions of a state, but they influence political decisions. For Hardt and Negri, they are the new basis of imperial sovereignty.

Hardt and Negri claim that the contractual act that makes of the population a united social body is "non-existent, mystificatory and outdated". Thus, the very foundation of modern liberal theories starting from Hobbes fades away in their thinking (ibid., 86). Negri groups Hobbes together

with Rousseau and Hegel, who all consider "sovereignty, power and the possibility of human cohabitation in society as the effect of an order rooted in transcendence", whereas Machiavelli, Spinoza and Marx see power and sovereignty "as products of experience and association between human beings" (Negri 2008b, 167).

The entity that transcends national boundaries is for Hardt and Negri the Multitude (sometimes but not always written with a capital M). Negri describes the difference between the people and multitude:

> 'People' is considered as a construction of a unitary population on the part of the sovereign. In the people, in the age of modernity, the citizen is subjected [*suddito*], not a subject [*soggetto*]. 'Multitude', on the other hand, is a concept born from below, as a multiplicity of singularities, as an ensemble which has no need for a sovereign mediation in order to exist. Rather it is given as a *potenza*, as constituent power, and, beyond the (individualist) private and/or the (statist) public, the multitude produces the common. In the multitude, citizens are not subjected but subjects. (Negri 2008b, 218–219)

To sum up Negri's and Hobbes's ideas about the multitude, Negri sees the multitude as a subject whereas the people for him are not free subjects but are subjected to the sovereign. For him, multitude is a liberating force that moves within the Empire and is not tied to the national boundaries and which cannot be represented. It resists Empire and is capable of ending war. For Hobbes, the multitude is a dangerous mob which needs to be transformed into a people to avoid war. This difference in their interpretations of the term crystallizes their differing views on how society and political participation should be organized. Negri criticizes in Hobbes the weight of property for citizenship and the theological model for monarchy – a remnant from the history of political thought which according to Negri we haven't yet completely left behind.

In the next part, I will approach the definition of the multitude in its many forms in more detail.

4.3.1 The Definition of the Multitude

For Negri, the Multitude is capable of ending war. Therefore, I will next examine who or what constitutes the Multitude. The main difference for Negri between the people and the multitude seems to be representation: the people can be represented, and it is represented as a unity, but the multitude cannot

be represented because of its fluctuating character (Negri 2008a, 116). The multitude is both subject and product of collective praxis (ibid., 119). Hardt and Negri write that the multitude "needs a political project to bring it into existence" (Hardt & Negri 2005, 212). They want the multitude to abolish sovereignty at a global level (ibid., 353), and think that "the constituent power of the multitude has matured to such an extent that it is becoming able, through its networks of communication and cooperation, through its production of the common, to sustain an alternative democratic society on its own" (ibid., 357).

In contrast to modern philosophers, Negri sees the multitude as a creative subject and power that cooperatively creates "ever-new services and relational goods": "In modernity, both Bodin and Hobbes reduced the *multitudo* to the *vulgus*, Hegel to the *Poebel*" (Negri 2016, 62). The modern philosophers replace the concept of the multitude with nation, people, or race, or with sovereignty, "which claims to unify the multitude from within" (ibid.). Negri denies the calls for unity of the multitude and quotes Gilles Deleuze from *Mille plateaux*: "It is a body without organs" (ibid.).

Hardt and Negri give a very different definition of the multitude compared with Hobbes's idea of the multitude as an unorganized dispersed entity (see, for example, Hobbes 1985/1651, 220; Hobbes 2010, 247–248): "The multitude designates an active social subject, which acts on the basis of what the singularities share in common. The multitude is an internally different, multiple social subject whose constitution and action is based not on identity or unity (or, much less, indifference) but on what it has in common" (Hardt & Negri 2005, 100). They see the concept of the multitude as a challenge to the tradition of sovereignty that is concentrated on the ruled and the ruler, and on the idea that only one ruler can rule. The multitude, instead, "is able to act in common and thus rule itself. Rather than a political body with one that commands and others that obey, the multitude is living flesh that rules itself" (ibid., 100). Unlike the people for Hobbes, the multitude for Hardt and Negri comprises the poor: "The poor's inclusion in various forms of service work, their increasingly central role in agriculture, and their mobility on vast migrations demonstrate how far this process [of the involvement of the poor in the social and biopolitical production] has already developed" (ibid., 129). Migrants are an important part of the multitude for Hardt and Negri: "Migrants demonstrate (and help construct) the general commonality of the multitude by crossing and thus partially undermining every geographical barrier" (ibid., 134, see also Fillion 2005, 67). Hardt and Negri criticize the role of property in Hobbes.

Property is what keeps the people together but not everyone is included: "Hobbes makes even clearer in *Behemoth* the function of property to expel the poor from the people" (Hardt & Negri 2011, 51).

In *Multitude*, Hardt and Negri describe the multitude as "the living alternative that grows within Empire", and: "The multitude too might thus be conceived as a network: an open and expansive network in which all differences can be expressed freely and equally, a network that provides the means of encounter so that we can work and live in common" (Hardt & Negri 2005, xiii–xiv).

Negri, in a speech he gave in Buenos Aires in 2003, exceptionally listed some professions that are included in the Multitude, such as women who do the housework, service workers, workers in agriculture, students, researchers (Negri 2008b, 119), but above all, the Multitude, rather than being a limited entity, is defined in the post-Fordist process, where labour becomes immaterial, social and cognitive rather than being material and limited to working hours. This is linked to a wide discussion in Italian political theory about the change in the nature of work, from a Fordist industrial work to an immaterial work without clear boundaries between work and non-work, and working time merging into a general "time of life" (e.g. Marazzi 2002, Virno 2006, Brennan 2003, 103).

Balakrishnan is doubtful about the exceptional width and revolutionary teleological aim of the Multitude: "The global multitude, embracing all those who work, or are just poor, from computer scientists in Palo Alto to slum-dwellers in São Paulo, forms a class that, in its very quotidian mode of existence, is somehow revolutionary" (Balakrishnan 2003, xiv).

Negri writes about the productive capacity of the multitude:

> The counter-empire is the multitude. We already know what the multitude is not: it is not 'the people', in other words a unity constructed by sovereign command; it is not class, in other words a unity constructed by capitalist exploitation; it is not nation, in other words a unity ideologically constructed by those same powers and directed against enemies in other nations. It is, furthermore, not an undifferentiated mass: rather, the multitude is an ensemble of productive singularities set to work and – as such – productive. (Negri 2008b, 12, see also Negri 2008b, 36)

Production is becoming, in Negri's and Hardt's words "more clearly and directly the production of subjectivity and the production of society itself" (Negri & Hardt 2008, 133). Moreover, the nature of labour has changed: "It

would be better to call this new hegemonic form 'biopolitical labour', that is, labour which produces not only material goods but also relations and, finally, social life" (Negri & Hardt 2008, 129).

Yet, a seemingly different definition of the Multitude is that it is "a web of relations", "a cooperative activity", "a multiplicity of singularities" but also in this writing Negri comes back to the productive capacity of the Multitude, and he even presents the Multitude as a constituent power (Negri 2008b, 177).

Hardt and Negri claim that the multitude cannot be grasped in terms of contractualism and that it defies representation because it is indefinite, unmeasurable, and "monstrous in relation to the teleological and transcendental rationalisms of modernity". Instead of a single *body* it is undefinable *flesh*: "The people constituted a social body, but the multitude does not – the multitude is the flesh of life" (Hardt & Negri 2008a, 87). But contrary to the passive masses and the mob that can be manipulated, the multitude is an active social agent that has to take power in a revolution (Hardt & Negri 2008a, 87–88; see also Negri 2008a, 117). Negri also uses the term *immaterial proletariat* (Negri 2008a, 152) and refers to Marx and especially to Lenin: he claims that we can translate Lenin's "revolutionary decision into a new production of subjectivity – communist and autonomous – of the postmodern multitude" (ibid., 158). He claims that "we must build, within the interregnum, within the time which is left to us, the conditions for the clash at the level of Empire. Here too the multitude turns out to be the fundamental matrix of a new figure of class struggle" (Negri 2008b, 79).

According to Negri, "*the flesh of the multitude* seeks to transform itself into *the body of general intellect*" (Negri 2008a, 116, emphasis in the original, see also Negri 2008a, 153), so flesh is not a final stage of the process. On another level, "every body is a multitude" (ibid., 120) and "Freedom seeks to make itself body: common bodies of cooperation, multiple bodies of general intellect, bodies of antagonism" (Hardt & Negri 2008b, 195). In *Multitude* Hardt and Negri write that "[t]his new social flesh [...] may be formed into the productive organs of the global social body of capital" (Hardt & Negri 2005, 159). They also write: "Biopolitical exploitation is, therefore, an intervention on the flesh of the multitude. This flesh is hybrid: it is hybrid in cultural, productive and linguistic terms; it is, to use the image employed by Democritus and the classical materialists, a seething infinity, a universe of atoms in motion" (Hardt & Negri 2008b, 192). Negri emphasizes the fluid character of the multitude and applies the metaphor of flesh to it. He connects the Marxist term 'general intellect' to the body, and it seems that

the body form is finally more desirable for him than the flesh, which could mean that on the level of metaphors, he is not necessarily as far removed from the Hobbesian idea of a state-body as he declares.

Hardt and Negri talk of a "monster" when they talk about the multitude, which interestingly has a link to Hobbes's Leviathan, which has also been described, among many other things, as a monster.[38] Hardt and Negri write: "Today we need new giants and new monsters to bring together nature and history, labour and politics, art and invention, so as to demonstrate the new power that the birth of 'general intellect', the hegemony of immaterial labour, the new passions of the abstract activity of the multitude provide to humanity" (Hardt & Negri 2008a, 88). They use the term counterpower, whose elements are resistance, insurrection and constituent power: "The context in which – and against which – this counterpower acts is no longer the limited sovereignty of the nation-state but the unlimited sovereignty of Empire, and thus counterpower, too, must be re-conceived in an unlimited or unbounded way" (ibid., 94, 91). The flesh of the multitude differs from the body of the statethat Hobbes conceived: "[T]he power of invention (or, really, counterpower) makes common bodies of the flesh. These bodies share nothing with the huge animals that Hobbes and the other theorists of the modern state imagined when they made of the Leviathan the sacred instrument, the pitbull of the appropriative bourgeoisie" (ibid., 94).

If, however, the multitude fails to take power or construct another form of power, there is the possibility of opting out: "If we find that we cannot construct another form of power, then the multitude can declare a strike, a desertion, removing itself from power [...]. And these processes, *between constituent power and exodus*, interweave and alternate with each other" (Negri 2008a, 172).

In "A Conversation about Empire" Danilo Zolo criticizes Hardt's and Negri's concept of the multitude for being too slippery and *Empire* for lacking an analytical definition of it. This is how Negri responds:

> [T]he multitude is a *multiplicity* of singularities which cannot in any sense find a representative *unity*. The 'people' on the other hand, is an artificial unity that the modern state requires as the basis of the fiction of legitimation; 'mass', on the other hand, is a concept which realist sociology assumes as the basis of the capitalist mode

38 In *The Labor of Job*, Negri has touched on how the monsters, Leviathan and Behemoth, are presented in the Bible (Negri 2009a, 51–53).

> of production [...]. A second meaning of multitude derives from the fact that we oppose it to 'class'. [...] This singular capacity of labour is what constitutes the workers as multitude rather than as class. [...] [W]e have a third terrain of definition, the more specifically political one. We see the multitude as a political *potenza* which is *sui generis*: it is in relation [...] to a multitude of singularities, that the new political categories have to be defined. (Negri 2008a, 27–28)

The multitude and sovereignty are in a mutual relationship of both being limits to each other. Negri explains that the multitude can be seen as a limit to sovereignty but prefers to see it positively as "an ensemble of singularities, of class and of *potenza*" (Negri 2008a, 105). "*The limit of sovereignty lies in the relationship itself between the one who commands and the one who obeys*" (ibid., 107, emphasis in the original). The multitude can negate this relationship, or, more exactly, it "*is the negation of the relationship*" (ibid., 107, emphasis in the original, see also ibid., 121).

In a new book, *Assembly*, Hardt and Negri discuss the role of leadership after the multitude has taken power. They propose an inversion of the political leadership so that leaders would serve the productive multitude. Instead of the "noisy sphere of politics" we should "descend into the hidden abode of social production and reproduction" (Hardt & Negri 2017, xv). About the Hobbesian myth they continue: "The image of an omnipotent Leviathan is just a fable that serves to terrify the poor and the subordinated into submission" (ibid., xvii). They suggest a new Prince, appearing as a swarm, is emerging and represents a threat to those in power (ibid., xx–xxi).

Usually, the multitude and Empire do not seem to have a geographical or geopolitical definition or limitation, but in some instances Negri evokes the role of Europe as a counterpower to the US-led Empire. For example:

> [I]n the chain of imperial hierarchy, Europe can operate as the 'weak link' in the constitution of Empire. It can present itself as transversal force, not as *demos* but as multitudinarian *potenza*, against Empire. In the present situation the great danger is that of a structure ordered by Empire under US hegemony and created in its image: this process represents the very negation of democracy. Europe is perhaps the most important of the various continental powers that are organizing resistance to the creation of an imperial model under American leadership. (Negri 2008b, 86)

In a talk from 2003 Negri takes a strong position for European federalism as a guarantee of democracy (Negri 2008b, 114–115, see also Negri 2008c,

9). He also emphasizes that "American power is subject to [...] economic and political structures which are other than it" (Negri 2008a, 20). So the US is not entirely in charge of the Empire but is subjected to its structures just like any other country.

Negri and Hardt seem to oscillate between whether Empire is, to put it in simple terms, good or bad, which Boron (2005, 30) and Rustin (2003, 5) have also observed. Is it something that should be fought against or is it in fact a positive force? Hardt and Negri take a stand for the latter in *Empire* (Hardt & Negri 2001, 43). A negative side is pictured in Negri's talk from 2004: "Empire is not fully realized today, but we say that it is an emergent form of the power we shall have to confront tomorrow. It would be a good idea to analyse it today, so as to be in a position to fight it tomorrow" (Negri & Hardt 2008, 127). Negri gives a definition that comes rather close to the definition of the multitude in its emphasis on *potenza* in a 2004 videoconference: "The Empire is a biopolitical reality; in other words, it is not simply a new capitalist organization of labour but an ensemble of forces which inhabit it and express the *potenza* of life" (Negri 2008b, 236).

A verbose and scattered summary of the role of the multitude for Negri is that it is a creative subject and power that creates ever-new services and relational goods in the cooperation, a living alternative, an open and expansive network, an ensemble of productive singularities, and an active social agent that has to take power in a revolution. Negri denies the calls for unity of the multitude. Unlike the people for Hobbes, the multitude for Hardt and Negri comprises the poor. In one instant, Negri presents the multitude as a constituent power. The multitude is capable of self-organization, although concrete examples of this are rare.

4.3.2 A Reversal of Hobbes's Concepts in Hardt & Negri

> The great founder of modern political thought, Thomas Hobbes, passed precisely from a mechanicist conception of man to a conception of citizenship, to a conception of the Leviathan state, within a clear and continuous line: the line of possessive individualism. We have overturned this mechanism, because our critique has passed from the definition of the capitalist subsumption of the world – what we call Empire – to the recognition of an irresistible, singular, multiple, multitudinarian resistance. (Negri 2008b, 208)

In Hardt's and Negri's *Commonwealth*, there are chapter names such as "De Corpore" and "De Homine" that can be read as allusions to Hobbes's works of the same names. In a speech from 2004, Negri brings out that with Michael Hardt he was anticipating a third part of the trilogy after *Empire* and *Multitude*, a book called "De homine" the name of which is directly taken from Hobbes's book from 1658 (Negri 2008b, 41). Negri continues:

> Anyone who knows the philosophy of modernity, and in particular the thinking of Hobbes, will recognize that the theoretical course we have taken represents the opposite of that of modernity. The moderns, and Hobbes in particular, took as their starting point a renewed metaphysics of man, defined in terms of possessive individualism, which resulted in an ideological view of the transcendence of power, in other words a statement of the necessity of power. Our path, on the other hand, is realistic. We take as our starting point a definition of the new global order, of which we then develop a critique: it is the method of Machiavelli, proceeding from the concrete to its critique… and thereby advancing the terms of the possible. […] Thus we adopt the method of Machiavelli against that of Hobbes, the method of Spinoza against that of Descartes, and perhaps also that of Hume against that of Kant. The issue for us is to show how resistance is at the root of every political process, how the subject precedes the sovereign abstraction, and how singularity opposes itself to the abstraction of power. (Negri 2008b, 41–42)

Negri's interest in Hobbesian titles seems to reflect his attitude towards Hobbes more generally: although he is critical of Hobbes, there seems to be something that makes him come back to the Hobbesian terms over and over again. I will now move on to analyse how the question of war and the constitution in Hobbes are discussed by Hardt and Negri.

4.3.3 Michael Hardt, Antonio Negri, and the Question of War and the Constitution in Hobbes

In this subchapter, I will present Negri's and Hobbes's differences concerning war. I argue that despite their differences, their outcome is similar: both aim to end war. Hardt and Negri describe war today as a civil war because the globalized world does not have an outside. For Hobbes, the nature of war does not consist in actual fighting but in the disposition to fight. Hardt and Negri claim that in a general global state of war we cannot really distinguish between war and peace. In *Multitude*, they write that they give examples of

how people work to put an end to war and give a certain context for their idea that we live in a perpetual state of war: the book was written between September 11, 2001, and the 2003 Iraq War (Hardt & Negri 2005, xvi, xvii). The Hobbesian theory of the state, based on avoiding a civil war, seems relevant for Hardt and Negri since they argue that we are in a constant state of war. Negri writes that "the theory and practices of modern sovereignty were born by confronting this same problem, the problem of civil war", and that the violent state of nature – the war of all against all – is "really just a distilled, philosophical conception of civil war, projected back either into prehistory or into human essence itself" (Negri 2008a, 238–239). This projection of war to somewhere else than to an actual situation of war is similar to Agamben's and Esposito's analysis of Hobbes's state of nature as a state of war, which they see as a construction. Hardt and Negri deem Hobbes's solution to the problem of civil war incomplete since the possibility of war remains constant despite the sovereign who is supposed to put an end to civil war. For them, the democracy of the multitude is the only way out of conflict and war (Hardt & Negri 2005, xviii).

War is an essential concept for both Hobbes and Negri: Hobbes is trying to escape from the war of everyone against everyone in the state of nature, and Hardt and Negri are also searching for an exit from a generalized global condition of war. Hardt and Negri write in *Multitude*: "War is becoming a general phenomenon, global and interminable" (Hardt & Negri 2005, 3). They describe war today as a civil war rather than war in the sense that international law conceives it. A reason for this is that the Empire does not have an outside so war by definition is a civil war (Negri 2008b, in several chapters). Like Agamben, Hardt and Negri raise the concept of exception to an important role in war: Hardt and Negri argue that modern theories of sovereignty wanted to make war an exception, and peace, guaranteed by the sovereign, a norm. War was to be limited in the conflicts between sovereign states, and then the politics within each state would generally function without war. Now, at the time of the global Empire, the situation has changed so that the state of exception has become permanent and general (Hardt & Negri 2005, 5–7; for the generalized state of exception and the role of fear in it, see also Hardt & Negri 2012, 9, 24, 26–27). In *Declaration*, Hardt and Negri write that in the state of exception, the normal functioning of the rule of law has been suspended, an idea directly taken from Agamben. The state of exception is a state of war, and a form of tyranny, an example being the surveillance systems with which we are surrounded (Hardt & Negri 2012, 20).

Hardt and Negri seem to respond to the criticism they received after publishing *Empire* about forgetting the role of the United States in the world by writing about U.S. exceptionalism in *Multitude*. This means two things: first, the U.S. claims to be an exception from the corruption of the European forms of sovereignty, and second, by being an exception from the law it exempts itself from international agreements (Hardt & Negri 2005, 8–9). In *Reflections on Empire*, Negri explains that Empire comes into being through war: "it is through war that the material forces come into being which constitute Empire, which determine its hierarchies and the inner circulation of powers" (Negri 2008a, 136). Hardt and Negri cite Hobbes, who writes that the nature of war consists not in actual fighting but in the disposition to fight (Hardt & Negri 2005, 4–5). In a general global state of war we cannot really distinguish between war and peace (ibid., 5). Hardt and Negri claim that war is "becoming the primary organizing principle of society" (ibid., 12) that often does not distinguish "between outside and inside, foreign conflicts and homeland security" (ibid., 14). Some of the examples of more metaphorical uses of war are war on poverty and war on drugs, and more concretely, war on terrorism (ibid., 13–14), which is also Agamben's main example of the state of exception and of war in *State of Exception* (Agamben 2005a). Hardt and Negri note that "democracy does not belong to war", and that war "requires strict hierarchy and obedience" excluding democratic participation (Hardt & Negri 2005, 17). The position of war in regard to politics has changed from Hobbes's times:

> What is specific to our era [...] is that war has passed from the final element of the sequences of power – lethal force as a last resort – to the first and primary element, the foundation of politics itself. Imperial sovereignty creates order *not* by putting an end to "the war of each against all," as Hobbes would have it, but by proposing a regime of disciplinary administration and political control directly based on continuous war action. (Ibid., 21; see also Negri 2008a, 132)

Negri sees the terrorist attack of 9/11 as an act of civil war:

> The people who destroyed the Twin Towers were those same 'condottieri' of the mercenary armies who have been hired in order to defend oil interests in the Middle East. They have nothing to do with the multitudes:[39] they are elements internal to

39 Negri uses both the singular 'multitude' and the plural 'multitudes' in his series of speeches

> the imperial structure in the process of its becoming. (Negri 2008a, 2; see also Hardt & Negri 2005, 4)

Negri writes that "[m]odern sovereignty is meant to put an end to civil war. […] Today the problem of civil war reappears on a much larger, global scale" (Negri 2008a, 239). Hardt and Negri deem Hobbes's solution to the problem of civil war incomplete since the possibility of war remains constant despite the sovereign who is supposed to put an end to civil war. "Modern sovereignty […] does not put an end to violence and fear but rather puts an end to civil war by organizing violence and fear into a coherent and stable political order" (ibid., 239). They hope for a new global form of sovereignty. This would be possible in the form of the multitude that "inverts the traditional relationship of obligation": instead of the people obeying the sovereign it is now the multitude that makes decisions. "Obligation arises for the multitude only in the process of decision making, as the result of its active political will, and the obligation lasts as long as that political will continues" (ibid., 340). Hardt and Negri deem that a new network beyond international law is necessary to confront global civil war (ibid., 4).

For Negri, the peace that Hobbes proposes in exchange for the exit from the state of war of all against all, or from the state of nature "is paid for at the heavy price of total alienation of freedom in obedience to the sovereign, and is the only compensation for a pact of submission (transfer of power) in which juridical absoluteness (the transfer of right) is the real condition of the body politic" (Negri 2008b, 54, text written in collaboration with Éric Alliez). Negri cites Hobbes's *De Cive* and claims that for Hobbes, war is "the *raison d'état* determining voluntary submission to the Master of the Law". War is needed for creating an "[o]rder which makes a single body out of a dispersed multitude – a body which takes the empty name of the People, submitted to the 'absolute power' of the will of one person…" (ibid., 55).

Negri in *Spinoza for Our Time* suggests that the modern theory of sovereignty is born with Hobbes at a time when "the *new productive forces* […] had to be subjected to an old eternal figure of power, to the absolute character of a power capable of legitimizing the *new relations of production*" (Negri 2013, 36; emphasis in the original text). What Hobbes has new compared to for example Bodin, is a "transfer of the potency of civil subjects to the

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and interviews from 2003 and 2004; see Negri 2008b, for example pages 89 and 110 for the plural use.

sovereign", and that citizens "become fundamental in the construction of the absolute character of power" (ibid., 37). Negri questions the possibility of a civil war prior to civil society (which is the usual way of reading Hobbes's theory) and criticizes the fact that everything for Hobbes is justified by the theological power of the sovereign. Hobbes's theory of sovereignty was accompanied by the invention of public utility, which was accomplished by Hegel's synthesis of the public and the sovereign. Negri contrasts Bodin and Hobbes with Spinoza: for the first two, "any government is necessarily the government of the One", whereas Spinoza gives value to the democratic effort, making it the very essence of the state. For Spinoza, society has no need of power in order to be constituted (ibid., 38, 40). In *The Porcelain Workshop* Negri places absolutist Hobbes against democratic Spinoza, and Machiavelli against Machiavellism and theories of "*raison d'État*". He writes that very different theorists, Weber, Schmitt and Lenin, have a similar view of sovereignty and power: they all see power as a univocal sovereign machine. Negri demands that "the idea of sovereignty must be submitted to an increasing critique" (Negri 2008c, 13, 18, 29, 47, 52). Negri believes that resistance is "an invincible ontological process": "Modernity's order can no longer suppress postmodern disorder; Hobbes crumbles before Guernica and Fallujah" (ibid., 56–57). Negri finds it surprising that the "atheists and materialists" – the first of which could be disputable – such as Bodin and Hobbes "reintroduce transcendence, the foundation of the One, in order to guarantee all forms of power and all means of managing a collectivity, as well as the legitimizing power of all physical violence" (ibid., 128).

In *Empire* Hardt and Negri introduce some kind of a global Leviathan, Empire, a "new inscription of authority" (Hardt & Negri 2001, 9). Instead of the old conflict or competition among several imperialist powers, we now have the idea of a single power and a common notion of right which is postcolonial and postimperialist. They almost, but not quite, call this new power a quasi-state:

> What were traditionally called the royal prerogatives of sovereignty seem in effect to be repeated and even substantially renewed in the construction of Empire. If we were to remain within the conceptual framework of classic domestic and international law, we might be tempted to say that a supranational quasi-state is being formed. (Ibid., 38–39)

In *Commonwealth*, Hardt and Negri criticize the current discourse for seeing fascism everywhere. The academic version of the discourse (referring particularly to Giorgio Agamben's *Homo Sacer*) is for them "characterized by an excessive focus on the concept of sovereignty" (Hardt & Negri 2011, 4). They write about a return to Hobbes and to sovereign power:

> In certain respects this intellectual trend represents a return to Thomas Hobbes and his great Leviathan that looms over the social terrain, but more fundamentally it replays the European debates of the 1930s, especially in Germany, with Carl Schmitt standing at its center. Just as in the popular discourses, here too economic and legal structures of power tend to be pushed back into the shadows, considered only secondary or, at most, instruments at the disposal of the sovereign power. (Ibid., 4)

Negri proposes an alternative to the sovereignty-centred state: a European republic strongly inspired by Machiavelli and his idea of arriving at agreement after a conflict, and by Kant and his idea of man desiring the Good:

> [T]his [the desire for the Good] is something politicians never envisage, because politicians have always considered people to be bad. No, the republic thinks that people are good, that they have the ability to show, in political constitution, the metaphysical, ontological condition of our existence, in every history. Thus this republic pre-dates every political form and our life is only a continuous quest for this original scheme of existing-together. (Negri 2008b, 203)

Negri makes the equation between the republic and the Spinozean *Potenza*, which both interrupt power (Negri 2008b, 205). He often mentions Spinoza as the positive alternative to Hobbes:

> [A]gainst the logic of the capitalist centralization of power expressed by Hobbes, we had the logic of liberation expressed by Spinoza and by many other antagonistic tendencies in modernity. This alternative often repeats itself within the debates and struggles of developing societies. No equilibrium and no new hope can be found if one does not break with the teleology of modernity, in other words with the command imposed by Hobbes and capitalist transcendentalism. (Ibid., 235)

Preventing a war, especially a civil war, was a central justification for Hobbes's modern theory about the necessity of a centralized sovereign. War and the

state of nature for Hobbes continue on an international level. According to Negri, however, Hobbes's theory was instead about controlling the newly emerging forms of production in the modern era, through citizens who were motivated to voluntarily submit. In our time, in the early twenty-first century, an ongoing global civil war is a way to control people. For Negri, it is possible to exit such a situation if we stop to think about sovereign power and force as something inescapable. Philosophically, we should replace Hobbes with Spinoza and Kant.

Next, I will move on to my conclusions about how Negri is different from Hobbes, especially in his thinking on war, and discuss Negri's alternative to the Hobbesian state.

4.4 CONCLUSION

Their views on human nature seem to be the central dividing line between Negri and Hobbes (see subchapter 1.5 in this dissertation for Hobbes's view of human nature), and this is also linked to their different conceptions of war. Negri believes in the multitude's ability to self-organize and rule themselves, whereas for Hobbes, organization, institutions and authority are needed to prevent people from attacking each other in a state of nature. Negri's belief in self-organization can be labelled an anarchist idea, and here I agree with Rustin, who claims that Hardt and Negri are anarchists despite labelling themselves libertarian communists (see subchapter 4.1.2). Hardt and Negri, however disagree on being labelled as anarchists. In *Declaration*, they write: "Don't think that the lack of leaders and of a party ideological line means anarchy, if by anarchy you mean chaos, bedlam, and pandemonium" (Hardt & Negri 2012, 108). They see a lack of political imagination in not being able to conceive of a system without leaders and centralized structures. Negri's view on the possibility of self-organization is similar to Agamben's and Esposito's. Negri's attitude towards Hobbes seems less antagonistic than Agamben's and Esposito's, because he takes some elements from Hobbes for his own use and states this re-use openly.

Both Negri and Hobbes aim to end war, but their means to do this as well as their analysis of what causes war are different. For Hobbes, war is caused by the multitude which is not yet organized into a people, who still fight in the state of nature, and the sovereign is needed to end war. For Negri, it is the other way around: war is caused and maintained by the global sover-

eign whose interest is to continue war and construct new enemies if the old enemies are beaten, and the multitude is capable of ending war.

The role of the nation-state is an essential Hobbesian theme for Negri. Several commentators mentioned in subchapter 4.1 (e.g. Boron, Meiksins Wood) have argued against the decline of the nation-state that was promoted in Hardt and Negri's *Empire*. The idea of an emerging global sovereignty is certainly interesting, and it is valuable that they are attempting to think about democracy on a supra-national level, but in the way global sovereignty is developed by Hardt and Negri, the idea of Empire is too vague to be a tool of very exact analysis. The same holds for the concept of Multitude. Here I agree with Danilo Zolo's comment in his interview with Negri where Zolo calls the Multitude a slippery concept (Negri 2008a, 27).

Future politics is for Negri tied to changes in production: the Multitude is a different workforce than industrial labour, and therefore its political organization should be organized differently – or rather it is capable of self-organization on a superior level from that of previous stages of development. The idea of stages of development is from Marx, and Negri simply adjusts this concept to a different environment from Marx's. Negri's attempt to look at power from the perspective of production is beneficial, but it is sometimes lost in excessively vivid revolutionary rhetoric and in a teleological, almost predestined idea that the Multitude will necessarily take over. I agree with Negri's critics such as Boron, Seth, Panitch & Gindin, Brennan, and Dyer-Witheford, that in the way Hardt and Negri describe the Multitude, there is no destiny or clear motivation for the Multitude that it would search for a change and why it would do so. In *Declaration*, Hardt and Negri actually admit this, acknowledging that it is not clear how democratic counterpowers would be constructed and from where they would derive their force (Hardt & Negri 2012, 59).

In the following final chapter, I will compare and draw together Agamben's, Esposito's and Negri's views on Hobbes, especially on the concept of war.

5. Concluding chapter

I will next draw together some key points, notably the conception of war in Agamben's, Esposito's and Negri's thinking in relation to Hobbesian ideas. I shall also compare their background and main influences, bring up some critiques and commentaries with which they have addressed each other, and discuss their alternatives to the Hobbesian state based on sovereignty.

5.1 HOBBES IN THE ITALIAN THEORY OF BIOPOLITICS

Quentin Skinner (see subchapter 1.3) has emphasized the context and aims of Hobbes. The Italian biopolitical interpretations provided by Agamben, Esposito and Negri, however, offer alternative perspectives. They – unlike Skinner – are not interested in who or what influenced Hobbes and what his motives were. For Skinner, Hobbes's main motive was defending the monarchy. Aiming for a large readership for his ideas resulted in Hobbes making compromises in *Leviathan* compared with his former books, and in *Leviathan* he uses techniques of rhetorical persuasion that he had earlier opposed. Agamben, Esposito and Negri, for their part, look at Hobbes's ideas without concerning themselves with the specific contexts of Hobbes's writing, and instead construct their own political thinking based on their reading of Hobbes's work. I will next analyse Hobbesian and related themes that appear in Agamben's, Esposito's and Negri's work: the state of exception, the state of nature, community, sovereign power, eschatology, law, Europe, and refugees.

The state of nature, seen by Agamben as inseparable from *the state of exception*, is one of the Hobbesian themes that all three analyse. For Agamben, the state of exception is a generalized, global condition from which it is impossible to return to a state of law because law has been suspended and we live in a permanent state of war. A solution would be a "real state of exception" – a term taken from Walter Benjamin, instead of the current state of exception. For Esposito, immunization is the exception because it is the exemption from the duties towards others and towards the community. Negri has a similar view on the state of exception as Agamben: the global order is plagued by perpetual war (Hardt & Negri 2005, xiii, Hardt & Negri 2012, 20).

For Negri, peace and democracy can be achieved when the multitude changes the global order. He wants to end the war which is an instrument of control in the Empire. Benjamin's "real state of exception" has also been discussed by other writers. Mark Neocleous takes a partly Agambenian – but slightly more radical and Marxist – position in his 2006 article and states that a return to the rule of law from the post-9/11 situation is not an option because the rule of law itself is a tool for the ruling class to maintain power. He names numerous states of exception that have been going on in the world: in Britain, (where for several decades strikes have been subject to legal restrictions), in Kenya, the US, Northern Ireland, Israel, Apartheid South Africa, and in several Latin American regimes. Reading these concrete cases, the exception seems to be the rule (Neocleous 2006, 194–204). Agamben would probably agree with Neocleous when he writes: "Emergency powers are permanent because they are part and parcel of the normal mode of governing" (ibid., 208). Unlike Agamben's, Neocleous's conclusion, however, favours violence: he writes that "[r]ather than being affronted by the permanent emergency and demanding a return to legality, then, we should be aiming to bring about a real state of emergency. And this is a task that requires violence, not the rule of law" (ibid., 209). Agamben also examines Benjamin's "divine violence" in theory but he never calls for violent actions in practice. The state of nature for Agamben and Esposito continues in the person of the sovereign even in the situation where subjects have handed over their power to the sovereign, because the sovereign has the power to use violence if necessary. For Negri, the state of nature is a state of war, but he does not theorize the relation as much as Agamben and Esposito do.

Community is one of the central themes for Esposito, which is not as much discussed by Agamben and Negri. It is questionable whether the Negrian multitude can form a community. It would probably be too scattered around the world for that. However, Enrica Lisciani-Petrini and Giusi Strummiollo mention community as one of Negri's key themes, together with empire and the multitude (Lisciani-Petrini & Strummiollo 2017, 12), and Hardt and Negri write that after an economic crisis, there is a *kairos* of community (Hardt & Negri 2012, 32). Agamben mentions that he wants a new idea of community. For Esposito, the main antagonism can be found between the state and the community: more exactly, the vertical Hobbesian contractual state and the horizontal community. Paradoxically, for Esposito, what unites people in a community is that they have nothing in common, and in this sense, Negri's multitude could well form a community.

Sovereign power is criticized by both Agamben and Esposito. Negri to a certain extent takes a positive stance to sovereign power, describing the imperial power of Empire and the inspiring possibilities that the multitude can have to take over Empire. Unlike the other two Italians, he does not seem to oppose the idea of sovereign power itself. Biopolitics, first examined by Foucault, is often thought to be different from sovereign power. It concentrates on controlling and enhancing life rather than deciding on the life and death of citizens. As we saw in Chapter 3, Esposito would like to make biopolitics and democracy compatible, and he writes that a radical deconstruction in conceptual paradigms is necessary to achieve this.

Eschatology in Hobbes is discussed by Agamben, who holds that modern politics is founded on the secularization of eschatology. The other two do not discuss Hobbes's eschatology, apart from a mention in Negri's book *The Labor of Job* (Negri 2009a, 51–53), his criticism of Hobbes's transcendental source of power (Negri 2008a, 99, Negri 2008c, 128), and Esposito's critiques of the theologico-political, which do not really extend to eschatology (e.g. Esposito 2018, 172, Esposito 2014, 11–12, 66–74).

Law is discussed both by Agamben and Esposito. Agamben suggests that we live in a world where law has been suspended, like in the Ancient Roman *iustitium*. For Esposito, both the political and law are immunitary (see Langford in subchapter 3.1 in this dissertation).

Europe is not properly a Hobbesian theme, except that Hobbes was a European thinker who was forced to move over borders, but it is interesting that both Esposito and Negri[40] in some parts of their writings give a special status to Europe as a possibility of another kind of political order that is different from the current one. Agamben does not pay special attention to Europe in his books. His thinking is not concentrated on any particular geographical area, although he is well rooted in the tradition of European philosophy, especially in the German tradition. Negri raises Machiavellian,

40 A question remains whether Negri develops this European aspect independently of Michael Hardt. Rustin writes in a note about Hardt and Negri's *Empire*: "Hardt and Negri are not only hostile to defensive nationalisms, but also show no interest in the construction of new governmental frames like that of the European Union through which peoples might be defended from market risks and uncertainties. Within their framing of the issue, the most 'modern' society, whose members come nearest to constituting the new 'multitude', seems on the contrary to be that of the US" (Rustin 2003, 17, note 16). For a discussion on Europe and Empire in Negri's thought, see Esposito 2018, 224–225. Esposito notes that Negri has "increasingly espoused the cause of Europe" despite his original reluctance.

republican order as an alternative to the one dominated by the United States. Esposito believes that the West, especially Europe, can show the way out of immunized thinking because of its tradition of looking outside of itself.

Neither are *refugees* a Hobbesian theme although it is a recurring one in the Italian thinkers' texts, and for Agamben it is related to the idea of the people. Agamben in his article "Beyond Human Rights" in *Radical Thought in Italy* describes the figure of the refugee as "perhaps the only thinkable figure for the people of our time", a paradigmatic political subjectivity, a model for the coming, non-Statist community (Agamben 1996a, 159). Boron (Boron 2005, 103) and Callinicos (Callinicos 2003, 138) reproach Hardt and Negri for giving a heroic status to Third World migrants. Hardt and Negri write: "[The] combination of precarity and possibility is expressed especially powerfully in the lives of migrants" (Hardt & Negri 2017, 60). Outside of Italy, Slavoj Žižek has recently approached the same theme in the form of "externalizing revolution". The idea is that we (or the Left) would not create a revolution but would leave that for migrants to do. For some migrants are the "outsourced revolutionary subject" (Žižek 2018, Žižek 2017). The question of whether a refugee and a Third World migrant can be seen as a paradigmatic political figure or as something on which our hopes are projected without a real foundation, is undoubtedly interesting.

I will next sum up how the Italians' views on war differ from Hobbes's.

5.2 HOBBES'S, AGAMBEN'S, ESPOSITO'S AND NEGRI'S IDEAS ABOUT WAR AND SOVEREIGNTY

The problem of war comes up in both the Italians' and in Hobbes's thinking, although from different perspectives. This can be seen as a sign of significant change in political theory between Hobbes's time and our own. For Negri and Agamben, war is more difficult to distinguish from peace than it was for Hobbes because the situation is now more dispersed: a permanent state of war can be replaced by police actions but for them, it is still a war, low- or high-intensity war, although no exterior signs of war are always visible. For Agamben, Esposito and Negri, it takes the sovereign to make war, contrary to the Hobbesian idea of the sovereign ending war. For the three Italians the sovereign produces war because they see sovereignty as something that

maintains a potentially violent situation. In this view, the sovereign enables rather than prevents violence.

Agamben wants to end the permanent state of war in the state of exception which is created by the sovereign by entering a real state of exception which is radically distanced from the law and from the sovereign. Agamben takes ideas about the state of exception from both Carl Schmitt and Walter Benjamin and fuses them into his own, very particular post-sovereign political thinking, where the ideas of a global state of war and of the sovereign paradigm that should be overcome are essential. He also proposes "inoperativity", withdrawal from political institutions and activity, and merging biological and political life into a "form-of-life".

For Esposito, the end of violence promised in Hobbes's model is not fulfilled because violence and the state of nature which is a state of war remain in the order created by the sovereign. Esposito's answer to end permanent war is to restore community as an alternative to the sovereign-based nation-state. This will happen by enabling new spaces of the common. He sees hope in recent theoretical discussions on the common good. Esposito makes an analogy between the state and the body and their immune systems, and searches for more fluid, non-personalistic alternatives to the clearly defined borders of the state-body. He can be described as a pacifist on two levels: he emphasizes the new biological interpretations of the body's immune system which are not as defensive and military as earlier biological research showed, and he is against war in the Hobbesian scheme of forming a state.

For Negri, Empire is created through war, and the enemy needs to be constructed to maintain the power of Empire, because the end of war would mean the end of global sovereignty. Sovereignty above all protects property rights, and those without property are left out. Therefore, he suggests that the multitude, composed of both those who are left out and those who participate in production through their social interactions – practically anyone – should rule themselves autonomically without the need for a sovereign overthem. This will end the ongoing situation of global civil war. Instead of just changing the sovereign to someone or something else, he wants a change in the way political participation is organized. Despite all their differences, Negri and Hobbes have a common goal, which is to end war.

The question which remains open in the Italians' thinking is how violence can be contained when there is no sovereign power. The question is related to the one Rasch makes (see subchapter 2.4.4): who would decide that there is no sovereign power? In both cases, it is a decisionist question of the locus

of power and decision: who decides (and acts) on ending violence? Who decides on ending sovereignty?

Secondary literature on Agamben, Esposito and Negri has in many respects brought up their relation to Hobbes, but Hobbes's state of nature as a state of war compared with the Italians' view on war has not been widely discussed.

Commentaries on Agamben have examined post-sovereign forms of power that Agamben develops, his concepts such as inoperativity, *iustitium* (the suspension of law) and bare life, messianism, and his alternatives to the sovereign order, such as a "happy life" and "form-of-life". Prozorov has written on both Agamben's and Esposito's relation to Hobbes concerning the division between nature and artifice. He argues that the sharp (Hobbesian) division between nature in a state of nature and artifice in the sovereign political order is questioned by the two Italians, which is a reading with which I agree, and to which I add the emphasis on the role of war in either a state of nature (for Hobbes) or in the political order (for the three Italians). Because the state of nature for the Italians cannot be separated from the political order, it means that we are in a permanent state of war, although it does not always look like it. I agree with Whyte, who shows how Agamben reverses Hobbes's ideas: for Agamben, law is based on violence instead of putting an end to violence, and politics must be freed from the sovereign power.

Tierney, Prozorov, Bird, and to a certain degree Langford, acknowledge the importance of Hobbes in Esposito's thinking, especially Esposito's idea of linking Hobbes to the immunitarian paradigm. Langford describes how in Esposito's *Communitas* the experience of a common non-belonging detaches the common from the modern and from contemporary social and political theory – including Hobbes's – and finally reaches outside the community. This relation with the outside is concretely discussed by de Bloois and by Ulbricht in their analyses of Europe's borders and Esposito. Bird's view on Esposito's analysis of Hobbes is that Hobbes leaves us the choice of remaining in a state of terror or moving from there to a productive model based on fear. Prozorov explains that Esposito sees Hobbes as negating community: for Esposito, Hobbes negates the human community in the construction of the state of nature as the state of war in order to institute a commonwealth. Langford mentions Esposito's analysis of the identification of peace and war, defence and attack, and life and death.

Many of Negri's commentators have emphasized that he underestimates the role of nation-states. A more crucial critique, in my opinion, is Brennan's

and Dyer-Witheford's that there are no reasons why the very diverse multitude should cooperate and fight the Empire, thus ending the permanent civil war. Accepting Prozorov's analysis that Empire and counter-Empire are the same would mean that the multitude is incapable of ending global war, because it is a part of it, or that Negri's idea of a permanent war is not valid. Meiksins Wood makes the remarkable claim that Negri and Hobbes are not that different from each other. I agree with her in the sense that Negri and Hobbes both aim to end war, but I argue that their differences are much greater than their similarities.

A lack of motivation for change from what for the Italians is a war-like situation is a recurring theme in the secondary literature. Prozorov asks why people would make a move in the direction which Agamben indicates, away from the society of spectacles and a comfortable life. Brennan and Dyer-Witheford, commenting on Negri, point out that there is no motivation for the multitude to unite and act against Empire.

5.3 MUTUAL COMMENTARIES BETWEEN AGAMBEN, ESPOSITO AND NEGRI

Agamben, Esposito and Negri have discussed and criticized each other. Negri holds that Agamben focuses too much on sovereignty and that he does not replace Hobbesian-type of sovereignty with an alternative form of sovereignty, order or state, which would be needed. He also criticizes Agamben's passivity, whereas his own theory is very much focused on political activity.

In *A Philosophy for Europe*, Esposito comments on Negri's relation to Hobbes. He explains that Negri sees both Hobbes and Rousseau as too concentrated on unity: Hobbes, the absolutist, for whom "the institution of the state presupposes that the constituted power fully incorporates the constituent power" and the democratic Rousseau, who identifies the constituent principle with the sovereign people, which is unified by the general will. For Negri, the reduction into one is "what drags the entire chain of modern political philosophy in a political-theological direction". In all of them, "the sovereign paradigm is the transcendental condition of the political constitution". The way out of "the negative of the political-theological dialectics" goes through Machiavelli, Spinoza and Marx. Esposito reminds us that in Machiavelli's time, the political was seen to be found outside of the state. Conflict, which Machiavelli and Negri embrace, is not the oppo-

site of order. On the contrary, "it constitutes order's founding principle" (Esposito 2018, 172).

Esposito discusses Negri's idea of the end of sovereignty in *Effetto Italian Thought* (Esposito 2017). He writes that Negri is the only Italian intellectual who has a directly political role in the radical left, and that his position has been different from other 60s intellectuals, since he has kept the affirmative, constituent and vital position and has never "theorized the choice for the lesser evil"[41] (Esposito 2017, 24, my translation). He has never gone in the direction of eschatological or messianic political theology or the Heideggerian-orientated thinking of life through death. Negri's work can be read as an alternative to the modern political philosophy of Hobbes, Rousseau and Hegel, and also to Schmitt's political thought, which is based on enmity and exclusion (Esposito 2017, 23–24). Esposito writes: "If the sovereign paradigm is born with Hobbes against nature, annihilating the state of nature, Negri incorporates history, nature and life in a single productive layer" (Esposito 2017, 25, my translation). Esposito agrees with Negri on these philosophical, anti-theologico-political points. However, Negri's interpretation on the current situation seems less convincing for Esposito, and I agree with his critique, although it must also be noted that *Empire* was written in a different situation of world politics from today – in the year 2000 and earlier – and it is natural that the analysis may have become partly outdated. Esposito holds that we are instead going in the opposite direction to what Negri claims: towards a politically *less* globalized world (although economic globalization is still strong) and towards less deterritorialization since the beginning of the new millennium. More and more walls are being built (ibid., 25–26). Esposito joins the various critics of Negri (see chapter 4.1) by pointing out that the nation-state is still the only constitutionalization of private relations which regulate the global financial markets. He also questions the liberating possibilities of the multitude emerging (partly) from immaterial production, because intellectual labour, like material labour, is increasingly conditioned by the obligations of the capitalist market and of the financial economy. He sees the composition of the multitude – ranging from highly qualified specialists to immigrants working without documents – to be too diverse to form a unitary subjectivity. Esposito asks the Schmittian question: who is the enemy of the multitude? And who are its allies? Instead of making production into an essential political category, like Negri does,

41 Original: *la scelta per il male minore*.

Esposito prefers a more juridical and political level: studying institutions (Esposito 2017, 27–29), although this is not what he has himself done in his books. He reflects on the Deleuzian affirmative side of Negri's thinking, which he partly shares, and writes that "the negative exists" and that despite Negri's distance from Hobbes, Rousseau and Hegel, the determination that is tied to the reality of negativity remains. Machiavelli, on whom Negri has been working for a long time, emphasizes negativity, conflict and borders. Negri, unlike Foucault, seems to take desire, love and happiness as political categories (ibid., 30). Esposito considers Negri's attitude towards the sovereign paradigm ("articulation–distinction–opposition"), presented especially in Negri's book *Insurgencies: Constituent Power and the Modern State* (Negri 2009b), to be common to himself and to Italian thought more generally and sees there a problem to be commonly resolved. What Italian thought shares with the sovereign paradigm, is its category of decision, and it is not always evident how to distinguish the constituting decision from the sovereign one. The decision cannot evade the categories of inside and outside. Esposito is sceptical about the idea of a world with no outside, such as Empire (Esposito 2017, 31).

Negri, in response to Esposito in the same book, does not agree that affirmative thinking would not be able to approach negativity (Negri 2017, 33). He defends three categories, empire, multitude and the common, which Esposito sees as being in decline. For him, the crisis of sovereignty is the crisis of modern nation-states. Capitalist globalization is irreversible. He does not equate globalization and empire but thinks that capitalist globalization necessarily needs command and order, which are given by empire. Unlike some of his critics who claim that Negri ignores the actual dominance of the United States in globalization, he continues to see that there is an ongoing fight for hegemony in an oligo-plural world between the US, China, the European Union and Russia. Negri hopes to diminish the sovereignty of the nation-states. He thinks that nations, peoples and homelands are always capable of turning to fascism and represent the negative in contemporary civilization (ibid., 34–35). Negri defends the definition of the multitude as a category of "social" and immaterial work and new forms of production against Esposito's claim that the multitude would be dialectically tied to Empire (ibid., 36). Negri describes the common as the "concrete" that binds our social production together (ibid., 38). He reproaches Esposito for lacking an affirmative and constituting thinking of immanence which is based on the ontology of the common. He proposes constructing a principle of

the multitude and giving a voice to the common and force to cooperation. Cognitive workers are especially central in this movement. Negri accuses Esposito of still thinking of unity in Hobbesian terms – meaning that it is necessary to have unity to organize the diverse – and therefore not understanding the possibilities of diversities of multitude. For Negri, private property and nation-states lead to war, and therefore we must fight the return of the nation-state (ibid., 39–40).

Negri has been equally critical towards Agamben. We can find an implicit critique in the article where Negri complains that exception is too often illustrated by the Nazi death camps (Negri 2010, 213–214). De la Durantaye cites Michael Hardt – Negri's cowriter in several books – about Agamben's idea of a concentration camp as a paradigm for the contemporary world: "we claim that modern sovereignty has come to an end and transformed into a new kind of sovereignty, what we call imperial sovereignty. Imperial sovereignty has nothing to do with the concentration camp." [...] "imperial sovereignty is certainly just as brutal as modern sovereignty was, and it has its own subtle and not so subtle horrors" (de la Durantaye 2009, 424, note 2; for more on the disagreements between Negri and Agamben see Chapter 2 of this dissertation, and subchapter 2.1.2 on de la Durantaye's book.)

The differences between Agamben, Esposito and Negri are largely due to their different backgrounds and main influences. For Agamben, Schmitt, Benjamin and Heidegger are important, and for Esposito, Bataille, Weil, Arendt, Nietzsche, Deleuze, Nancy and also Heidegger. Negri's background is in the autonomic political movement and its emphasis on production, and his main influences include Spinoza, Machiavelli, Marx and Deleuze. All three are more or less inspired by Foucault and his biopolitical thinking.

5.4 THE ALTERNATIVES TO SOVEREIGN, STATE-CENTRED POWER

In my dissertation, after having traced references to Hobbes in their works, I have looked at Agamben's, Esposito's and Negri's next steps after they call in question the Hobbesian sovereignty-based state. They do not always provide concrete examples of their alternatives to sovereignty, but some directions can be found.

According to Negri's critics, he is not proposing an alternative to the current system despite all the revolutionary rhetoric in Hardt and Negri's

Empire. Also Agamben's alternative does not seem to be very different from the current state of affairs: it would be "just a little different" (Agamben 1993, 57). Esposito calls for "the protection of those who are weakest in social, cultural and generational terms" and opposes "dividing barriers, blocks to the circulation of ideas, languages, and information, surveillance mechanisms set up in all the sensitive places" (Esposito 2013b, 87–88). In this regard, he seems to have similar goals as Hardt and Negri, who speak for the rights of those who are weak, although their critics have sometimes claimed they do the opposite.

Agamben proposes reappropriating the state of nature for a different kind of "happy life", where natural life and political life should not be separated. He sees an "irrevocable exodus from any sovereignty" and a non-Statist politics as necessary (Agamben 1996b, 153). Like Negri, he wants autonomic politics. Esposito searches for a community which would not be based on property or identity, Agamben is for leaving identities aside, and Hardt and Negri have also recently spoken in favour of nonidentitarian movements and of a radical refusal of identity (Hardt & Negri 2017, 57, 61). Negri gives a teleological view where multitude will take over Empire in a liberatory war "which can eventually lead to an authentic social peace" (Hardt & Negri 2008c, 59). He does not condemn Empire altogether but wants to make it more democratic.

I agree with Rustin (see subchapter 4.1.2), who is worried about "what can happen if destructive forces are given full reign and no authority exists to contain them" (Rustin 2003, 12). The idea of a world completely without authority seems scary and the vision of human nature on which it is based too optimistic.

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The book explores three contemporary Italian interpretations of Thomas Hobbes by Giorgio Agamben, Roberto Esposito and Antonio Negri. They all claim that we live in a state of nature which is a state of war – a civil war, because we live in a world which has no outside. This is contrary to what Hobbes thought of about an ordered society where the sovereign guarantees peace. For the three Italians, sovereignty is on the contrary the prerequisite for waging war in different forms.

The three philosophers present alternatives to the sovereignty-based organization of politics. For Agamben, one solution is withdrawal from activity, "inoperativity". For Esposito, the solution is a community based on non-reciprocal gifts which he claims is the opposite of Hobbes's state, based on contract. He wants to enable new spaces of the common and sees hope in recent theoretical discussions on the common good. Negri differs from the two others since he, together with Michael Hardt, explores sovereignty which is extended to the global level instead of the nation-states, and its counterpower, multitude.

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